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PROCEEDINGS

(OF THE)

NEW JERSEY

HISTORICAL SOCIETY,

SECOND SERIES,

VOL. I. -4

1867----1869.

- 1877

NEWARK, N. J.:

PRINTED AT THE DAILY ADVERTISER OFFICE.

1869.

- 1877

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ERRATA.

Page 1, Line 2, *dele* "Mr."

- " 21, Insert \$285.83 as the footing of one of the short columns of Treasurers' Report.
- " 26, Line 5 from bottom, for "Walter" read *John*.
- " 53, Line 21, for "Richard Field" read *Richard S. Field*.
- " 54, Line 5, for "By-Laws" read *Constitution*.
- " 68, Line 7, for "orders of Gen. Washington" read *orders of Gov. Lee, of Virginia*.
- " 79, Line 2, for "1776" read 1786.
- " 108, Line 2, for "1867" read 1868.
- " 111, Line 12 from bottom, for "March 3" read *March 1*.
- " 162, Line 7 from bottom, for "deponent" read *deponents*.
- " 163, Line 22, for "Dongan" read *Dongan*.

PROCEEDINGS

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OF THE

New Jersey Historical Society.

SECOND SERIES.

VOL. I.

1867.

No. 1.

TRENTON, *January 17th*, 1867.

THE Society met at Temperance Hall at 12 o'clock, Mr. JOHN RUTHERFORD, Esq., one of the Vice-Presidents, in the Chair. The charm, which for twenty-one years seemed to work effectually in warding off all storms from the days for the Society's meetings proves no longer operative, in May last the rain interfered with the meeting at Newark, and on this occasion a deep fall of snow prevented the attendance of many of the members.

The minutes of the last meeting were read by Mr. HAYES, the Recording Secretary.

The Corresponding Secretary, Mr. WHITEHEAD, submitted the correspondence of the Society since May, comprising letters from Messrs. Wm. H. Camp, Wm. E. Skinner, Sam'l H. Baldwin, Oscar Keen, Arthur Ward, D. A. Ryerson, H. N. Beach, Wm. L. Dayton, F. S. Conover, Charles Wehle, Rev. P. A. Studdiford and Rev. Marshal B. Smith, accepting Resident Memberships:—from Mr. John H. Hartshorne, acknowledging his election as a Corresponding Member, and forwarding a donation to the Treasury:—from Messrs. H. N. Beach, Wm. C. Prime, of New York, C. C. Haven, John A. McAllister and Chas. H. Hart, of Philadelphia, Asher Taylor, of New York, Geo. C. McWhorter, of Oswego, E. B. O'Callaghan, of Albany, and U. S. Department of the Interior, accompanying donations for the Library:—from the Historical Society of Chicago, the Smithsonian Institution, the Numismatic and Antiquarian Society of Philadelphia and the Librarian of Congress, acknowledging the receipt of

the Society's publications :—from J. L. Butler, St. Louis, announcing the formation of a Historical Society in Missouri :—from Mr. John Penington, of Phila., Mr. S. M. L. Barlow, of New York, and various other gentlemen, on matters relating to the objects of the Society.

Mr. WM. C. PRIME's letter was accompanied by an old deed, dated Nov. 6th, 1708, for a large tract of land, about eighteen miles square, northwest of Elizabeth, particularly interesting, from its giving the sites and names of two Indian towns and the names by which other localities in that quarter were then designated ; and the letters of Messrs. McAllister and Hart transmitted Photographic copies of Silhouette likenesses of Washington and Mrs. Washington, of interest from their undoubted authenticity and correctness.

The Treasurer, Mr. ALOFSEN, reported a balance of Cash in the treasury of \$572 39, of which \$96 85 belonged to the Library Fund.

The Librarian, Mr. CONGAR, submitted his report of additions received since the last meeting, comprising many of value from the different Historical Societies, the State of New Jersey, the United States, and various individuals—the total number of bound volumes now in the library being about 3,500, not counting those composed of pamphlets, the number of which could not be correctly stated.

The following Report was presented by the Executive Committee :

'The Executive Committee, referring to the Reports of the Treasurer, Librarian and of the Publication and Library Committees for details which it is unnecessary to recapitulate, would simply report that during the year past, from different causes,—not the least, being the befitting commemoration of the Settlement of Newark on its 200th anniversary in May last, under its auspices,—the Society has not only retained, but has added to, the favorable consideration it has heretofore secured from all interested in the preservation of the annals of the State. Those annals are justly regarded as replete with events of great moment in the history of the Union, with instances of patriotism and enterprise on the part of its citizens, and with acts of individual devotion to the great principles of human freedom and progress, rendering New Jersey's position among her sister States, one, of which her sons may be proud, however much they may desire her to attain to a still greater pre-eminence.

'It is the object of this Society to take care that, what she has done and is now doing, should not be forgotten, and we deem it but a slight tribute to its exertions to that end, that Jerseymen should by their

money and their influence aid its plans. To render them effectual for the ends in view the resources of the Society should be increased, and in the absence of such liberal endowments as many others enjoy, or the annual State appropriations, by which some are sustained, an appeal can only be made to its members for such contributions to its various funds as their inclinations may prompt.

"As the Society has no funds on hand, or in prospect warranting the erection of a suitable building for its accommodation, the Committee would suggest the propriety of leasing or selling the lot in the City of Newark which it owns, that the annual rent, or the interest on its value, may be made available towards meeting the urgent needs of the Society. The growth of its library, and increasing usefulness consequent thereon, imperatively demand the employment, at a remunerative salary, of a competent Assistant Librarian, and there are constant calls for an expenditure of money for books and binding, which can now only be met by liberal subscriptions from individuals, the revenue from the annual fees of the members being small.

"With the view, therefore, of increasing the revenue of the Society, the Committee would recommend the adoption of the following resolution :

Resolved, That the Committee on the Library be authorized and empowered to make such disposition of the lot belonging to the Society, in the City of Newark, either by leasing the same for a term of years or by absolute sale thereof, as they may deem most for the interest of the Society ; it being understood that the rent realized, should it be leased, shall be considered part of the Library Fund, and that the proceeds arising from its sale, shall be invested in United States, or other satisfactory, Securities and the interest thereon be appropriated to the same Fund, to be expended for the preservation, improvement and extension of the library."

The Committee on Publications reported that a Supplement to the Sixth Volume of the Society's "Collections" had been printed, and would be ready for distribution to subscribers and others in a few days. Its publication had been delayed from various causes beyond the control of the Committee, but which have tended to render the volume more complete than it would have been otherwise. It contained the Commemorative Proceedings at the Bi-Centennial Celebration of the Settlement of Newark in May last, with a Map of the town as first laid out, and Genealogical Notices of the early settlers ; making a volume of 182 pages. While its subject-matter rendered it a distinct work, it was so intimately connected with the Sixth Volume of the "Collections," containing the "Town Records of Newark," that the Committee deemed it advisable to issue it with a double title page, that it might enter into the series as a "Supplement" to that volume.

The Committee also reported that another number of the "Proceed

ings" was ready to be issued, concluding the 10th volume, and bringing the record of the current transactions of the Society down to the present time.

A corrected list of the Members of the Society, as directed to be published by a resolution adopted in January, 1865, was given in the number from an official report of the Treasurer, containing only the names of those gentlemen who have complied with the terms of membership.

The committee drew the attention of the members to the publications of the Society that are for sale, as it would materially increase the resources of the Society, and add to their interest in its proceedings if members would supply themselves with copies.

The Committee on the Library submitted their report as follows :

"That, in accordance with the resolution of the Society adopted in January last, they secured during the last summer, the services of two competent assistants in the library for the purpose of arranging the pamphlets, and, as far as was practicable, completing the catalogue.

"These services were rendered in July, August, September and October, during which months the rooms were open several hours of every week-day, affording an opportunity for those engaged in historical researches to obtain access to the library without difficulty. The labor performed resulted as follows: All the pamphlets in the possession of the Society, several thousand in number, were properly arranged and classified, and tied up in volumes, each with its table of contents, ready for binding, and those immediately referring to New Jersey together with others to which reference is likely to be more frequently made, have been, or are now being bound. The catalogue of pamphlets has been written up, and some progress made in perfecting the catalogue of books; and before the next annual meeting the committee hopes to be able to report the completion of all that was contemplated by the resolution of the Society. They fear, however, that, not until a competent and permanent assistant librarian is appointed at a suitable salary, will the Library attain to that condition of usefulness, which in previous reports they have frequently shown to be desirable. The manual labor required and the time which must necessarily be devoted to it, preclude the proper performance of the duties involved, either by the librarian or by the committee. It is a mere question of dollars and cents. Whenever, through the liberality of the members, the LIBRARY FUND shall warrant the expense, there will be nothing in the way of giving to the rooms every attention, and to those who frequent them every facility to profit by the historical treasures they contain.

"Through the liberality of some of the members, arrangements have

been made, with the approval of the committee and consent of the Chairman of the Executive Committee, whereby during the winter the rooms will be heated and lighted with gas for weekly receptions; at which time it is expected that topics of historical or literary interest will be presented and discussed, and opportunities be offered for examining our collections, as well as for conversation and social intercourse, leading to a wider dissemination of interest in the Society and its objects.

"The report of the Librarian shows the additions made to the library since the last meeting. The forming of the pamphlets into volumes, with the additions constantly being made, will soon again require an extension of shelving, some of the departments being already more than full."

The nominating committee reported several gentlemen for membership, who were thereupon duly elected, and other nominations were received.

The chair announced the following Standing Committees for 1867.:

On Publications. Richard S. Field, William A. Whitehead, Henry W. Green, Samuel H. Pennington, John Hall.

On Statistics. Joseph P. Bradley, F. Wolcott Jackson, Samuel M. Hamill, S. A. Farrand, E. Mercer Shreve.

On Nominations. David A. Hayes, Peter S. Duryee, Ravaud K. Rodgers.

On the Library. Walter Rutherford, Peter S. Duryee, John P. Jackson, with the Treasurer and officers residing in Newark.

Messrs Hall, Duryee and Shreve were appointed a committee to nominate officers for the ensuing year, and subsequently reported the following who were duly elected:

President,

JAMES PARKER.....*Perth Amboy.*

Vice-Presidents,

RICHARD S. FIELD.....*Princeton.*

HENRY W. GREEN.....*Trenton.*

JOHN RUTHERFURD.....*Newark.*

Corresponding Secretary,

WM. A. WHITEHEAD.....*Newark.*

Recording Secretary,

DAVID A. HAYES.....*Newark.*

Treasurer.

SOLOMON ALOFSEN.....*Jersey City.*

*Librarian,*SAMUEL H. CONGAR.....*Newark.**- Executive Committee,*SAMUEL H. PENNINGTON....*Newark.*CHARLES S. OLDEN.....*Princeton.*RAVAUD K. RODGERS.....*Bound Brook.*N. NORRIS HALSTED.....*Harrison.*JOHN HALL*Trenton.*C. C. HAVEN.....*Trenton.*SAMUEL M. HAMIL.....*Lawrenceville.*JOHN CLEMENT.....*Haddonfield.*WM. B. KINNEY*Morristown.*

The Society then adjourned for dinner. On re-assembling at 2½ P. M., the Hon. Henry W. Green, one of the Vice-Presidents, took the chair.

Mr. WHITEHEAD read a letter from Hon. Thos. P. Carpenter, of Camden, accompanying a sword presented to General James Giles, of the Revolutionary Army, by General LaFayette, forwarded by members of his family to be deposited with the Society. Mr. W. also read a biographical notice of General Giles, by the Hon. L. Q. C. Elmer, which had also been received through Mr. Carpenter.

On motion of Mr. HAYES, the thanks of the Society were ordered to be returned through Judge Carpenter, for the interesting relic named, and the notice of General Giles referred to the Committee on Publications.

Mr. C. C. HAVEN made a statement to the Society of the progress made by the New Jersey Monument Association, in their laudable object, and submitted the following Preamble and Resolution, which were adopted :

WHEREAS, It is the manifest interest of Historical Societies to give their aid and sanction, to such Monumental Associations as tend to honor the virtues and perpetuate the memories of such illustrious heroes and statesmen as have been benefactors to our country, and have given luster to its historic fame, and

WHEREAS, The New Jersey Monumental Association, duly incorporated by the Legislature of this State, is an institution of this sort already organized, with corporators in each County thereof, under the management of a duly appointed board of officers, aiming at the erection of a suitable structure to commemorate the distinguished men of the State, and especially to secure the celebrity of all the battles fought in New Jersey by the Revolutionary Army; and as said Corporation have made a promising beginning for their undertaking by obtaining subscriptions to the amount of five thousand dollars at least, and sites offered gratuitously for the erection of a monument, or cenotaph, on the camp-fire grounds attached to Trenton, near the Assunpink, the spot most suitable to commemorate the pivot on which turned the successful issue of the Revolutionary struggle; therefore, be it

Resolved, That this society cordially appreciates this laudable undertaking, and

with the view of co-operating in its success, will have this Preamble and Resolution entered on its minutes, and publish the same in its Journal, and that the Address of the Association be preserved in its Library, with the map, &c., accompanying it.

The Society then listened with great interest to an address by CORTLAND PARKER, Esq., of Newark, "On the Military Career of General Philip Kearney," exhibiting the patriotism and ability of that distinguished soldier, which occupied more than two hours in its delivery, riveting the attention of the Society throughout. On concluding, the thanks of the Society were tendered to Mr. Parker, and a copy of his address requested to be placed at the disposal of the Society.

The Society then adjourned to meet at Newark, on the third Thursday of May next.

Members Elected.

JANUARY 17TH, 1867.

RESIDENT MEMBERS.

Gustavus N. Abeel, *Newark.*
Horatio N. Fryatt, *Belleville.*
Robert Gilchrist, *Jersey City.*
Caldwell K. Hall, *Trenton.*
John B. Hervey, *Belleville.*
John Budd Meeker, *Newark.*
Robert W. Rutherford, *Newark.*
Stephen G. Sturges, *Newark.*
Henry C. Terhune, *Newark.*
Frederick S. Thomas, Jr., *Newark.*
Ralph Voorhees, *Middlebush, Somerset Co.*
Joseph M. Ward, *Newark.*
Charles Young, M. D., *Newark.*
Henry E. Young, *Newark.*
John I. Young, *Newark.*

Selections from Correspondence and Papers

LAI'D BEFORE THE SOCIETY JAN. 17, 1867.

FROM MR. ASHER TAYLOR.

NEW YORK, May 29th, 1866.

MR. WM. A. WHITEHEAD, *Corresponding Secretary, &c.* :

DEAR SIR :—The scrap I sent you some time ago* on the corruption of the Aboriginal name of Middletown, was a passage from prefatory remarks in my Family Genealogy, and was only intended to draw your attention, in the hope of eliciting from you an investigation and proper treatment of the subject, as I think it worthy of some thought. There is a correction, I think, needed in it. When the Dutchmen heard the Indian name of the land, they wrote it according to the Dutch sound of the letters, Na-ve-sing—pronounced Nau-ves-sing. (I prefer the *Nau* so as to secure the accent on the middle syllable.)

When Mr. Lookerman and his party gave the account of their voyage,† they, I suppose, wrote it in English, attempting to give the name according to the English sound of the letters; and got it *New*, for “Nau,” as near as could be expected from parties not likely to be very sharp set in the sounds and tones of the letters. On all the first maps, I believe, it is spelled “Na,” and in that only instance, anywhere, *New*.

Middletown Point has broken ground in restoring the aboriginal name of Mattewan. I wish they had spelled the last syllable *von*, which would have distinguished it from the half a dozen other Mattewans; and if Middletown could be induced to resume *Nauvessing*, and Key Port, *Ohing-quar-ra*, it would be a great improvement all round.

Respectfully,

ASHER TAYLOR.

FROM MR. JOHN PENINGTON.

PHILA., May 23d, 1866.

MY DEAR SIR: * * * * * “The origin of Navesink is a matter in which I took great interest many years ago, and which I

* See Proceedings, 1st Series, Vol. 10, p. 167.

† Society's Collections I, 177.

settled in my mind to be a corruption of Neversink, a fishing place—*Nameri*, fish, and *ink* or *unk*, denoting locality. That it was a great place of resort of the natives for fishing, is matter of both history and tradition.

Very truly and cordially,

JNO. PENINGTON.

Mr. WHITEHEAD.

FROM MR. CHARLES H. HART.

PHILADELPHIA, June 18th, 1867.

MR. WM. A. WHITEHEAD, *Newark, N. J.*

MY DEAR SIR :

* * * * *

I ask the Society's acceptance of the enclosed photograph of Washington, from an original profile in my possession. It was painted by a Frenchman named Vallu, 1795, and is one of the most beautiful portraits I have ever seen. Its history, as far as I can learn, is very brief. About ten years since a gentleman purchased at a book-store in New York, an old volume, in which on turning over the leaves he found the picture from which the photograph is a copy. After keeping it for some years he presented it to the late Major Turner, of this city, who, on the solicitation of my esteemed friend, James P. Smith, Esq., the eminent miniature painter, promised it to me a short time before his death. The mother of Mr. Smith, a lady of over 90 years, who knew Washington quite well during his Presidency, considers it a striking likeness. In this connection the following anecdote may be of interest to you. I lately procured a fine copy of Savage's picture of Washington, (painted and engraved by himself,) and wishing to hear the opinion of the old lady above-mentioned, on the correctness of the likeness, I got her son to take it, together with a very fine Stuart I have, to show her, which he did, first exhibiting the Savage picture, which she said was good, but not noble and masculine enough looking for the great man. He then showed her the Stuart, which is accepted by all I believe to be the most perfect delineation of Washington's countenance, on seeing which she rose from her chair and exclaimed "That's the General himself." I have nearly three hundred portraits of Washington, all with some variation. The accompanying documents may also be of some use. * * *

I am with much esteem, your very truly

CHARLES H. HART,

1819 Chestnut street.

FROM MR. J. A. McALLISTER.

PHILADELPHIA, June 2d, 1867.

MY DEAR SIR: Edward Shippen, Esq., of this city, has very kindly permitted photographs to be made from the Silhouettes of General and Mrs. Washington, which belonged to the late Mrs. Elizabeth Bordley Gibson, of this city—copies of which are enclosed. A fac simile of Mrs. G.'s certificate accompanies each picture. You will observe that the Silhouettes were presented to Mrs. G. by Nellie Curtis. Miss Mifflin, of this city, informs me that the profiles were cut by Frestal, who afterwards became tutor for young LaFayette. * * * *

Yours, &c.

JNO. A. McALLISTER.

WM. A. WHITEHEAD, Esq., Cor. Sec. Hist. Soc'y, Newark, N. J.

FROM MR. WILLIAM C. PRIME.

JOURNAL OF COMMERCE OFFICE, {
NEW YORK, June 28th, 1867. }

MY DEAR SIR: I saved some old parchments from destruction the other day. Among them I found what appeared to be an original patent (dated Nov. 6, 1708,) for a tract of land in New Jersey, and therefore to possess some historical value. Rather than bury it in my private collection I thought it best to send it to you, and ask you, if it seems of any importance, to deposit it in the archives of the New Jersey Historical Society, or such other place as you, who are especially interested in New Jersey history, may think proper for it.

Truly yours,

W. C. PRIME.

W. A. WHITEHEAD, Esq.

* * * The tract conveyed in the deed transmitted by Mr. Prime, is said in the instrument to be "called by the Indians Markseta Eohunge, lying and being on the north west side of Elizabeth-towne, beginning at a white oak tree and runn of water called Hapakonoessy where the same comes out of the mountaine, the said tree being about six miles to the Northwest of a place known amongst the christians by the name of the Pitt, about eight miles to the southwest of an Indian town called Watomcuk, and about thirty-three miles from Elizabeth town, the said tree being marked with an F; from thence towards another Indian

towne called peacock, South Southwest nineteene miles, thence due east seventeen miles, from thence due North eighteene miles through the great swamp pissaick and Weypenunk river and along the east side of said Weypenunk river, and from thence about fourteene miles due West to the aboye-mentioned white oak tree marked with F as is aforesaid the place where it first begun. Together with all woods, &c."

The grantees are—

Richard Townly.....	1.28th.	Wm. Urquhart....	2.28ths
Mary Beckley.....	4.28ths.	Jacob Reed.....	2.28ths.
Peter Fautonnier.....	3.28ths.	Ebenezer Willson.....	2.28ths.
Wm. Bonnell.....	2.28ths.	Lancaster Symes.....	2.28ths.
Wm. Niebee.....	2.28ths.	Conningsby Norbury....	2.28ths.
Anthony Badgely.....	2.28ths.	Philip Rokeby.....	2.28ths.
Wm. Creed.....	2.28ths.		

FROM HON. THOMAS P. CARPENTER,
TRANSMITTING THE SWORD OF GENERAL GILES.

CAMDEN, January 15th, 1867.

DEAR SIR: I send herewith an interesting relic for deposit with the Historical Society. It is a sword formerly belonging to General James Giles, late of Bridgeton, in this State, to whom it was presented by General LaFayette. General Giles, in the war of the revolution, then an artillery officer, served with great honour to himself and usefulness to the cause, at one period being under the immediate command of General LaFayette. The sword bears this inscription:

"Presented by the Marquiss LaFayette,
Major-General of the Army of the United States,

TO

James Giles, Lieut. in the 2d or New York
Reg't of Artillery, Sept. 9, 1780."

This sword on the death of General Giles, fell to his daughter, Mrs. Hampton, and on her death, not long since, to her niece, Mrs. Nancy R. Kennard, (wife of Rev. J. Spencer Kennard,) whose agent I am in transmitting it to the Society. She desires to place it in their custody, as well in accordance with her own inclinations, as the wishes of Mrs. Hampton, desirous that the sword may still serve to identify the memory of Gen. Giles with New Jersey, where he so long lived, and where he died.

I send with the sword a memorandum of General Giles, which seems to have been written while on a visit to meet his old commander. Also a letter of Mr. Barber, of Elizabeth, to General Giles, dated Sept. 3, 1824,

in relation to a reception intended to be given to Gen. La Fayette, then expected to visit or to pass through New Jersey. They possess common interest in connection with this sword.

Hon. L. Q. C. Elmer has kindly furnished an interesting notice of General Giles, which I send, and which will be particularly acceptable at this time.

Yours truly,

T. P. CARPENTER.

WILLIAM A. WHITEHEAD, Esq., Sec'y N. J. Hist. Society.

Extracts from the memorandum and letter alluded to by Judge Carpenter:

"In September last I went to N. Y. for 'e purpose of meeting General L. F., as I had served under his particular command. He was very glad to see me, and expressed himself highly gratified when I showed him 'e sword he had presented to me in 'e time of 'e Revolution, and in his affectionate way thanked me for my remembrance of him in 'e preservation of his gift. I accompanied him thro' 'e State, and did not leave him until two or three days after his arrival in Philadelphia."

FROM GEORGE C. BARBER TO GENERAL GILES.

ELIZABETH TOWN, September 3d, 1824.

* * * * *

DEAR SIR: I fear lest the Society* may have committed an error, unintentionally, in selecting this committee to arrange the meeting with the Marquis (*except one*). We know little of their movements. We understand that on Wednesday following their arrival in New York, General D. and Judge P. waited upon him, the latter as committee from the town of Newark. After their return General Dayton mentioned that the Society were to join with the citizens of Newark in doing him honor, and that as a Society we were to meet him there, but no time was fixed. As he would in that respect be a guest of Newark and the Society secondary, his time would be almost wholly engrossed with their arrangements. This project met the decided disapprobation of the members here, and General D., acknowledging its impropriety, gave out that he had written to the Marquis to know if it would suit his convenience to pass one day at Elizabeth and one at Newark. We do not learn that any definite arrangement has been made in regard to time or place

* Society of the Cincinnati.

The Committee have nothing to do with the Newark arrangement, their business is to consult the wishes of the Society,—its object was to have a free and social meeting with him, as little interrupted by other arrangements as possible, at such place as would be most convenient to the members generally. Knowing the anxious wish of the old members to meet their long absent friend and companion in arms, we were the more surprised that Newark should be fixed upon, as the meeting would only be partial and the main object defeated.

From conversations with several of the members here, I am satisfied that the plan of meeting is immaterial to them, provided the object can be attained.

I presume that no arrangements have as yet been made by the committee, as I have heard of none; and I now despair of a meeting. If he is to be at Philadelphia on the 14th the committee will have to arrange time and place after his return to New York, say on the 6th. The Secretary is then informed and sends notices to the members on the 7th, it will then require 7 days at least for the members to receive notice and convene. It would have been as easy for our committee to have fixed a day with the Marquis as the Cincinnati of New York.

I should regret extremely that anything should transpire to prevent a full meeting, and particularly the attendance of his brothers in arms, the interest in the scene would be greatly lessened, and equally disappoint the Marquis. His visit to this country was principally to meet his old friends and companions, and whenever the meeting may be fixed, I hope that an extraordinary exertion will be made by the old officers to attend, of which as early a notice as possible will be given, if I am to do the service. * * * *

Yours, most sincerely,

GEORGE C. BARBER.

GENERAL GILES.

FROM HON. L. Q. C. ELMER.

BRIDGETON, January 14th, 1867.

DEAR SIR: I take great pleasure in complying with your request to give you some account of Gen. James Giles, who was a prominent citizen of this place nearly half a century. He was born in New York in the year 1759. His parents were from England, and do not appear to have had any relatives in this country. While he was still an infant, his father went to the mother country, to be ordained as a Minister of the Episcopal church. On his return, the vessel in which he came was

wrecked in a violent snow storm at the entrance of Delaware Bay, and he perished. His body was said to have been buried in an old graveyard at New England Town, in Cape May county, now nearly or quite washed away; but his son was never able to identify the place.

In the year 1771 young Giles entered upon the study of the law with Benjamin Helme in the city of New York. In March, 1776, he was appointed a Lieutenant in the 2d or New York Regiment of Artillery, continued in service until 1782, and during some part of the time was Adjutant of the Regiment. In 1780 he was attached to the command of La Fayette, and served under that distinguished friend of America in Virginia. It was at this time that he received the sword now in your possession, the General having recently returned from France and bringing with him a large supply of equipments for his destitute officers and soldiers. The inscription now upon it was no doubt placed there by order of General Giles in 1824, when he had it handsomely re-mounted, and wore it upon the occasion of La Fayette's reception by the Society of Cincinnati of New Jersey. The title of Marquis, although commonly used by the American officers and people, had been relinquished by the General and was not used by himself. It was said at the time that he received Gen. Giles with great cordiality and perfectly remembered him.

In 1782 Giles became an indentured clerk, according to the usage of that day, to Joseph Bloomfield, then residing at Trenton, afterwards Attorney-General and Governor of the State, and during the war with Great Britain a General in the army. He raised a company at Bridgeton, where he resided in 1776, of which he was the Captain, and became a Major. Giles was licensed as an Attorney in this State in September, 1783. The next year he married Gen. Bloomfield's sister, Hannah, a daughter of Dr. Moses Bloomfield, of Woodbridge. In the early part of 1784 he was licensed as a lawyer in the courts of New York, and appears to have resided and practised in that city several years after his marriage. He came with his family to Bridgeton in 1788, and in November, 1789 was appointed by the Legislature in joint meeting clerk of the county. Having been twice re-appointed, he held the office fifteen years. During this time, and for a few years afterwards, he had quite a large, and for that day quite a lucrative, practice as an attorney. In 1793 he built and commenced to occupy the house on Broad street now owned by Rev. Dr. Jones, in which he resided until his death, in 1825. For many years, this house with its grounds, furniture and appointments, was much the finest residence in the place. He was this year commissioned Brigadier General of the Cumberland Brigade of Militia, the late Judge White, then a resident of this place, about

eleven years younger than the General, being at the head of his staff as Brigade Major. In 1805 he resigned his commission as General, in consequence of a junior officer being appointed Major General of the Division. This was the result of a change in politics, the federal party to which Giles belonged having become a hopeless minority.

Mrs. Giles was a lady of very considerable personal attractions, very intelligent and active, and highly esteemed for her consistent and decided Christian character as a member of the Presbyterian Church. She died in 1823, at the age of 61.

They had eight children, of whom one was a son, who died in infancy, three daughters died in childhood, and one, a twin sister of Mrs. Inskeep, died at the age of 23. The oldest daughter (Maria) married Abraham Inskeep, of the firm of Bradford and Inskeep, Booksellers in Philadelphia, and afterwards in New York. They removed many years ago to New Orleans, where she died, in 1864. Several daughters, who inherited much of the beauty of their mother, married gentlemen of wealth and position in that city. One of them is the wife of Col. Nixon, late of the Confederate army. Their descendants are the only representatives of the family. Frances Helm married Dr. Isaac H. Hampton, and was the mother of the late Hon. James G. Hampton, who represented this district four years in Congress. She died recently. The youngest daughter, Nancy Bloomfield, a few days younger than myself, married Charles Read, Cashier of Cumberland Bank, and died in 1838, without issue.

Gen. Giles was a well read lawyer and safe counselor, although it cannot be said that he was distinguished as an advocate. Upon the establishment of Cumberland Bank, in 1817, he was elected the first President, and after that time did not so much business as a lawyer. He was remarkably neat and precise as a clerk and attorney, never failing to file his pleadings in due time, and never neglecting his business. His personal appearance, although he was rather below the medium size, was very attractive. He was kind and genial in disposition, very courteous to his brethren at the bar, and especially to the junior members of the profession; at the circuits, the life of the company. During the latter years of his life, it was his great relaxation and delight to attend the courts four times a year at Cape May, where he always went several days in advance of the term, and was greatly relied on for counsel by the people of that country.

It appears by a letter from the late Hon. Daniel Elmer, to his uncle in 1805, shortly after he had finished his clerkship in the General's office, that he had some expectations of being appointed Justice of the

Supreme Court. He says: "Mr. Giles is spoken of by both parties (privately) for the appointment of fourth Justice of the Supreme Court." The result was that a law was passed reducing the number of Justices to three.

Truly yours,

L. Q. C. ELMER.

Hon. T. P. CARPENTER.

Donations

ANNOUNCED JANUARY 17TH, 1867.

From S. Alofsen—John Russell [Bartlet. The Literature of the Rebellion. (Edition of 250 copies in 8vo., and 60 in 4 to.) 8 vo. paper. 1866.

Charles J. Stilles. History of the United States Sanitary Commission. 8 vo.; cloth. 1866.

Aug. C. Hamlin. Martyria; or Andersonville Prison. 12 vo., cloth. 1866.

F. B. Carpenter. Six months at the White House with Abr. Lincoln. 12 vo., cloth. 1866.

Professor Joel Parker. Two Lectures on Revolution and Reconstruction. 8 vo., paper. 1866.

(Richard Grant White.) The New Gospel of Peace, according to St. Benjamin. 4th and last Book. (Satire.) 13 vo., paper. 1866.

The United States Service Magazine for the 6 months, ending June 30th, 1866, or six monthly numbers, comprising the 5th volume of this periodical, the publication of which being now discontinued.

Added to these loose numbers are five black muslin covers, for the binding of the volumes. 8 vo., paper. 1866.

R. H. Stoddard. [Abraham Lincoln, an Horatian Ode. 8 vo., paper. 1865.

From the Massachusetts Historical Society—Proceedings of the Society, 1864-1865.

From the American Antiquarian Society—Proceedings of the Society at the Annual Meeting, Oct. 20, and at the Special Meeting, Nov. 15 1866.

From the American Philosophical Society—Proceedings of the Society, Vol. X, 1866, No. 75.

Catalogue of the American Philosophical Society Library. Part II. Class V.

From the Chicago Historical Society—Intramural interments in populous cities, and their influence upon health and epidemics. By John H. Rauch, M. D., Chicago, 1866.

Seventh and Eighth Annual Statements of the Trade and Commerce of Chicago. Reported to the Board of Trade, by J. F. Beaty, Secretary.

From the New England Historic and Genealogical Society—The New England Historical and Genealogical Register and Antiquarian Journal, July and October, 1866.

An Address delivered before the New England Historic and Genealogical Society at the annual meeting, Jan. 2, 1867, by John A. Andrew, L.L.D., President of the Society, with the Proceedings at said meeting.

From the Iowa Historical Society—Annals of Iowa. July, 1866.

From the Department of the Interior—Journal of the Senate and House of Representatives, Senate and House Miscellanies, Reports of Committees, Executive Documents, &c. 1st Session 38th Congress, with 3 vols. 8th Census, Coast Survey, Smithsonian Report, and Vol. 10th Commercial Relations. 35 volumes.

From the State of New Jersey—Laws, Journal of the Senate, Minutes of the 90th General Assembly, and Documents of the Session of 1866, with Journal and Minutes of the Extra Session, convened Sept. 11th, 1866.

From the Hon. Wm. Wright—The Congressional Globe; containing debates, &c., 2d session 28th Congress, also of the Special Session of the Senate. Navy Register of the U. S. for the year 1865 and 1866.

Report of Department of Agriculture for 1863, with Reports on Cotton, Malt Liquors. Petroleum, Distilled Spirits, Medicines, Perfumery, &c., as sources of National Revenue.

From the Wilmington Institute—Annual Report, April, 1866.

From the St. Louis Mercantile Library Association—Annual Report, 1866.

From Harvard College—Annual Report of the President and Treasurer of Harvard College. 1865-66

Catalogue of Harvard University, 1866.

From the Essex Institute—Historical Collections of the Institute, Oct., Dec., 1865.

From Hon. J. R. Bartlet—Records of the State of Rhode Island and Providence Plantations in New England. Vol. X. 1784 to 1792.

From the Authors—The Moral and Intellectual Influences of Libraries upon Social Progress. An address delivered before the New York Historical Society on its 21st Anniversary, Nov. 21, 1865, by Frederick De Peyster, President of the Society.

Memoir of Hon. Reuel Williams, prepared for the Maine Historical Society. By John A. Poor.

An address delivered at the erection of a Monumental Stone in the walls of Fort Popham, Aug. 29, 1862, commemorative of the Planting of the Popham Colony on the Peninsular of Sabine, Aug. 19, O. S. 1607, establishing the title of England to the Continent. By John A. Poor.

No restriction on Railway Transit. Argument of John A. Poor before the Joint Standing Committee on Railroads, Ways and Bridges; delivered in the Senate Chamber of Maine, Feb. 14th, 1865.

A preliminary Genealogy of the Wynkoop Family. By Richard Wynkoop, of the City of New York, 1866.

A Sermon delivered in the Reformed Dutch Church of Pompton, N. J., at its Semi-Centennial Anniversary, June 18th, 1865. By Rev. John Jansen, Pastor.

Historical Narrative of the Medical Society of New Jersey, from 1776 to 1866. Read by Dr. Wm. Pierson, at the Centennial Celebration, January 24th, 1866, at New Brunswick, N. J.

Remarks on the early Paper Currency of Massachusetts; read before the American Antiquarian Society, April 25th, 1866. By Nathaniel Paine.

Annals of the City of Trenton, with Random Remarks and Historic Reminiscences. By C. C. Haven.

Thirty Days in New Jersey, Ninety Years Ago. By C. C. Haven.

A Photographed Genealogical Chart on a New Plan. Framed and Glazed. Large size. By Asher Taylor, of New York—with small duplicate of the same.

From Charles H. Hart, Esq., of Philadelphia—Blank form of Articles of Agreement, to be signed by the officers and men of a Privateer—such as were used during the Revolution.

Autograph order on the Treasurer of New Jersey, from Governor Bloomfield, dated March 10, 1809, for the payment of \$89 62, out of the Militia Fund of the State.

Broadside—Containing Brigade Orders from Brig. Gen. Joseph Bloomfield, for the mustering and exercising the Militia of the Counties of Burlington and Gloucester. Aug. 1, 1796.

The Three Days' Battle of Chattanooga, 23d, 24th and 25th Nov., 1863. An Unofficial Dispatch from Gen. Meigs to the Hon. E. M. Stanton, Secretary of War, with a Map.

From S. R. Haines, Esq.—Common Sense, Junior; A Political Poem. Calculated for the Meridian of the Sentiments of the People of the States of New York, Vermont, New Jersey, Virginia, Kentucky and Tennessee; but will answer for any other of the United States, without any sensible variation. By a Citizen of the State of New York. 1799. An Oration delivered in Roxbury, N. J., on the 4th July, 1807, by John D. Gardner, Esq.—and An Oration delivered at Pittstown, N. Y., 4th July, by Rev. L. Covell—in 1 vol., bound.

From W. A. Whitehead—The Lost Principle; or the Sectional Equilibrium. How it was Created. How Destroyed. How it may be Restored. By "Barbarossa." Richmond. 1860.

The Newark Daily Advertiser for the years 1846, '47, '48, '50, '51, '52, '53, '54, '55, '56, '59, '61, '62, '63, '64 and '65. 16 years.

From Edward Shippen—Biographical Sketches of the Bordley Family, of Maryland, for their Descendants. By Mrs. Elizabeth Bordley Gibson. Edited by her niece, Elizabeth Mifflin. 1865.

From Dr. I. P. Trimble—Legislative Documents. Session of 1866. New Jersey.

From John R. Burnet—The 47th Annual Report and Documents of the New York Institution for the Instruction of the Deaf and Dumb. 1865.

From F. H. Davies—Addresses of the Philadelphia Society for the Promotion of National Industry. 1819.

From Henry N. Beach—A Journal of the Life, Gospel Labours and Christian Experience of that faithful Minister of Jesus Christ, John Woolman.

From Charles N. Buck—A Meteorological Account of the Weather in Philadelphia, from January 1, 1790, to January 1, 1847; with an Appendix, containing a variety of Interesting Information. By Charles Pierce.

From George C. McWhorter—Thoughts on Popular Lectures, by Geo. H. McWhorter, MS., with a Three Pound New Jersey Note, No. 375, of Nov. 20th, 1757.

From Samuel L. M. Barlow, Esq.—Notes on Columbus. New York. Privately Printed. 1866. One of Ninety-nine Copies.

From John A. Poor—Memorial of the European and North American Railway Company of Maine, to the Legislature of Massachusetts, for

State Aid, January 15th, 1866, with accompanying Documents, and Report on Defences of the North-eastern Frontier. 38th Congress.

Responsibilities of the Founders of Republics; an Address on the Peninsula of Sabino, on the 258th Anniversary of the Planting of the Popham Colony, Aug. 29th, 1855. By Hon. James W. Patterson.

From Major J. T. Calhoun, Assistant Surgeon U. S. A., commanding. Hospital Bulletin "Ward" U. S. A. General Hospital, Newark, N. J., June 15th to Aug. 30th, 1865, with a Photographed Rear View of the Hospital.

From F. A. Wood—New York Supreme Court. Richard Wood and George S. Wood, against Daniel D. Comstock. Case on Appeal from Judgment, entered at Special Term, or Report of Referees. 1853.

From the Publishers—"The Princeton Standard," "The Somerset Messenger," and "The Weekly State Gazette."

About 100 bound volumes have been added to the Library during the year, making the total number about 3,500. The pamphlets having been arranged into volumes, will so be reported hereafter as bound. At present the precise number that they will make cannot be given.

Report of the Treasurer.

To the President of the New Jersey Historical Society:

JANUARY 1, 1867.

The balance of cash on hand, Jan. 1, 1866, was.....\$346 71

The total receipts for 1866, have been—

From Life Members.....\$300 00

" Initiation Fees..... 75 00

" Annual Dues.....182 00

—————557 00

" Donations..... 30 00

" Interest..... 80 93

—————110 93

" Sales of the Society's Publications..... 157 49

" Subscribers to the Library Fund..... 365 00

—————1,190 42

Carried np.....\$1,190 42 \$346 71

Accounts brought up.....	\$1,190 42	\$346 71
The total disbursements for 1866, have been—		
For Rent for Library Rooms.....	300 90	
“ Clerk hire	99 00	
	<u>399 00</u>	
„ Expenses (regular) \$128 91; expenses for 200th Anniversary, \$47 69.....	206 60	
“ Books, \$15; Binding, \$59 28; Librarian, \$5. 79 28		
	<u> </u>	
“ Printing Supplement, Vol. 6th Collections, on account.....	32 00	
“ Printing No. 2 of Vol. 10, Proceedings.....	247 86	
	<u>279 86</u>	
	964 74	
Excess of receipts over disbursements in 1866.....		225 68
		<u> </u>
Balance of cash on hand, January 1, 1866.....		\$572 39
Of this balance, \$96 85 belongs to the Library Fund, and \$475 54 to the General Fund.		
The invested funds of the Society are—		
One lot of ground on West Park st., Newark, valued on the books of the Society.....	\$3,500 00	
Two U. S. 5 per cent. bonds of \$500 each.....	1,000 00	
	<u>4,500 00</u>	
The publications of the Society on hand and for sale, valued at cost...		1,253 98
		<u> </u>
Total valuation of the assets of the Society, exclusive of the Library, and the cash on hand.....		\$5,753 98

Respectfully submitted,

S. ALOFSEN,

Treas'r N. Jersey Hist. Soc'y.

NEWARK, *May 16th*, 1867.

IN accordance with their By-Laws, the Society met this day, in their rooms at 12 o'clock, M. The Hon. JAMES PARKER, President, occupied the Chair, assisted by the Hon. RICHARD S. FIELD and JOHN RUTHERFURD, Esq., Vice-Presidents.

The minutes of the last meeting were read by Mr. D. A. HAYES, Recording Secretary, and approved.

Mr. WHITEHEAD, the Corresponding Secretary, made a verbal report of the nature and extent of the correspondence since January, and submitted letters received from Messrs. Robert Gilchrist, Gustavus N. Abeel, Henry C. Terhune, Henry Young, Joseph M. Ward, John I. Young, James B. Hervey, Charles Young and H. N. Fryatt, acknowledging their election as resident members; from the Library Co. of Phila., and F. Jordan, Esq., Secretary of Pennsylvania, desiring the publications of the Society; from the Librarian of Congress, forwarding donations, from W. W. H. Davis, of Doylestown, Pa., asking for information of "Cockahamey," said, in 1714, to have been a place in New Jersey; from Department of Interior, accompanying Public Documents; from C. H. Hart, of Phila., transmitting an original MS. call for a meeting of the Board of Managers of New Jersey Bible Society in 1810, bearing the signatures of Governor Bloomfield, Judge Kirkpatrick, and others; from H. N. Beach, of Orange, and United States Sanitary Commission, with donations for the library; from the Historical Societies of Connecticut, Chicago, Maine, Massachusetts, Pennsylvania, New York, New Haven and Wisconsin; the Regents of the New York University, New England Historic and Genealogical Society, Essex (Mass.) Institute, Numismatic and Antiquarian Society of Philadelphia, American Antiquarian Society and Smithsonian Institution, acknowledging the receipt of the Society's recent publications; from various individuals, referring to the Society's business matters; from Professor Guyot, accepting the invitation of the Executive Committee to address the Society on the Geology of New Jersey; and from Mr. J. Bertrand Payne, of England, in response to some inquiries relating to Governor Philip Carteret.

In reference to the letter of Mr. Payne, Mr. W. said, the Rev. Dr. Hatfield, in the preparation of his History of Elizabeth, had been led to doubt the correctness of the heretofore generally accredited statement

that Philip Carteret, the first Governor of New Jersey, was a brother of Sir George, one of the original grantees. He (Mr. W.) had therefore written to Mr. J. Bertrand Payne, the author of a work relating to the genealogies of families identified with the island of Jersey, for more definite information, and his answer shows very clearly that the Governor was the *fourth cousin* of Sir George, they being descended from a common ancestor, who died as far back as 1500. On another point, of which Dr. Hatfield's researches had cast some doubt, Mr. Payne was not able to throw any light—evidently having no information beyond what has been accessible to all on this side of the Atlantic—that point was the legitimacy or illegitimacy of James Carteret, a son of Sir George, who was in New Jersey, and occasioned considerable disturbance in the Government in 1672.

Dr. Douglas, in his Summary, published in 1760, who is thought to have been the first to use any terms reflecting injuriously upon the character or birth of James Carteret, styles him the "dissolute son of Sir George," and Chalmers in his Political Annals, published in 1779, although he only quotes Douglas, applies to him the term "illegitimate," and no one, since the appearance of that work, (in consequence of the author's presumed acquaintance with other original authorities to which he had access,) has questioned its correctness. Dr. Hatfield, however, has been induced, from various circumstances, to identify the intruder into New Jersey with *Captain* James Carteret, the legitimate son of Sir George. The question was one of interest, as the view taken by Dr. Hatfield afforded a more ready solution of the difficulties connected with the fact, that James Carteret was permitted by the people of the Province to exercise an influence in their affairs, which a relationship so questionable as that asserted, would scarcely have sanctioned if known.

Mr. W. also read an answer he had prepared explanatory of some documents communicated by Mr. George H. Moore, Librarian of the New York Historical Society, to the Historical Magazine, erroneously thought by Mr. Moore to indicate an acquiescence, on the part of Governor Carteret, in the assumption by New York of a full title to Staten Island, which was referred to the Committee on Publications.

Dr PENNINGTON, Chairman of the Executive Committee, reported the resignation of Solomon Alofsen, Esq., as Treasurer of the Society, and submitted a statement of his accounts, which, as requested by Mr. Alofsen, was referred to an Auditing Committee, consisting of Messrs. J. P. Jackson, David A. Hayes and Martin R. Dennis, for examination. The balance of cash in the Treasury, on the 1st May, being \$390 75.

Mr. SAMUEL H. CONGAR, Librarian, presented his report of the donations to the Library since the January meeting, amounting to 96 bound volumes and several hundred pamphlets. Especial mention being made of a number of the latter, received from John Rutherford, Esq., referring to New Jersey, that were very rare.

Mr. WALTER RUTHERFURD, submitted the following report from the Committee on the Library :

“The Committee on the Library would respectfully report that, since the last meeting of the Society, further progress has been made in binding a portion of the pamphlets and serial publications; and a re-arrangement of some of the books effected, calling for the erection of additional shelving. This re-arrangement was rendered necessary by the increase of volumes in certain departments beyond the capacity of the shelves allotted to them, and will add both to the appearance of the rooms and to the convenience of those frequenting them.

“In accordance with the directions of the Society, the books received from Solomon Alofsen, Esq., have all been stamped as his gifts, and the numerous pamphlets received from him will soon be arranged and bound, when the whole collection will have allotted to it a special position befitting its importance.

“An arrangement has been made, whereby the services of an Assistant Librarian have been secured until autumn, and the room will consequently be open for some months six hours each week day to the members of the Society and strangers properly introduced. It is hoped that this arrangement will not only conduce to the convenience of all historical inquirers, as it undoubtedly will, but be sustained by liberal subscriptions to the Library Fund from the members generally, for it must be borne in mind that for some years the entire expense of rent and other incidentals connected with the library has been borne by only a few of the members, and has not been a charge upon the general funds of the Society.

“Some progress has been made in perfecting the Catalogue of the Books and Pamphlets. When completed, the manuscripts and miscellaneous collections will receive attention, and be likewise catalogued.

“At the last meeting of the Society the Committee were authorized to take into consideration the propriety of selling or leasing the lot of ground belonging to the Society in West Park street, which having been done, they report that they do not think it advisable to sell the property before another effort is made to erect thereon a fire-proof building for the occupancy of the Society; and as a willingness has been manifested

by some gentlemen to contribute liberally to a fund for the purpose, the Committee hope that the project may receive the attention it merits from all interested in the Society's success. As no opportunity has been afforded for leasing the lot on favorable terms, it remains unoccupied, awaiting the further action of the Society."

A number of gentlemen, whose names were reported on favorably by the Committee on Nominations, were elected members, and other nominations received.

On motion of Mr. W. A. WHITEHEAD, seconded by Col. Swords with appropriate remarks upon the valuable services of the retiring Treasurer, it was

Resolved, That on accepting the resignation of SOLOMON ALOFSEN, Esq., as Treasurer, the members of the New Jersey Historical Society cannot but express their high appreciation of the efficient manner in which his gratuitous services have been rendered for more than seven years, and the obligations they are under for the generous contributions which at different times he has made to their funds.

Resolved, That the Recording Secretary transmit to Mr. Alofsen a copy of the foregoing resolution.

Mr. C. C. HAVEN offered the following resolution, which, after some remarks by him, the Rev. Dr. Rodgers and Rev. Mr. Hamill, was adopted :

Resolved, That the Committee on the Library provide and keep in the Library an Album, of Quarto size, for the reception and preservation of such photographs, lithographs, or other likenesses of the officers and members of this Society, or other distinguished individuals, as well as views and plans of battles, relics or other curiosities, painted, engraved or photographed, as shall be presented to the Society and approved by the Committee.

On motion of Mr. HAYES, the Society then proceeded to the election of a Treasurer by ballot. Col. Robert S. Swords, of Newark, being nominated, and no other gentleman being named, balloting was dispensed with, and Col. Swords was unanimously elected Treasurer to fill the vacancy occasioned by the resignation of Mr. Alofsen.

On motion of Mr. W. A. WHITEHEAD,

Resolved, That the Committee on Publications be authorized, when in their judgment the condition of the finances may warrant it, to have the third volume of the Proceedings of the Society reprinted, in whole or in part, as they may deem advisable.

On motion of Mr. HAYES, it was

Resolved, That the Treasurer be authorized and directed to invest on interest the sums received as fees from Life Members, and keep the same invested, subject to the disposition of the Society.

Rev. Dr. RODGERS presented for the Cabinet of the Society a Bond of the recent so-called Confederate States for \$1000.

From JOHN RUTHERFURD, Esq., was received a number of valuable manuscripts, among them being the following :

1715—April 17th to June 10th—Manuscript Journal of . . . Reading while surveying lands in the Northern Part of the State.

1741—April 28th to May 6th—Manuscript Journal of a Party surveying lands on the Wallkill, the Drowned Lands, &c., in the North-western part of the province.

1766—"The Claims of the Inhabitants of the Town of Newark, in virtue of the Indian Purchase, made by the first settlers of Newark in 1667, stated and Considered." Only known before to exist in manuscript.

1755-1756—Package of letters and papers connected with the Quarter-Master's Department in the Niagara Expedition.

1755-1756—Package of miscellaneous papers referring to the Northern Boundary controversy with New York.

1747-8—Manuscript copy of the Act of the Province of New Jersey for running and ascertaining the line of partition between New York and New Jersey.

1753—Petition of the Council and Proprietors to the Board of Trade, asking to be heard against a recommendation for the repeal of the Act of 1747-8. 18 pages, foolscap.

1775—February 13th—Manuscript copy of the Memorial to the King from the Provincial House of Assembly.

1776—June 22d—Manuscript copy of the Instructions to the New Jersey Delegates to the Continental Congress.

1792—Schedule of Votes cast in the County of Sussex, in October, 1792, for Representatives in Congress, Council and Assembly, and Sheriff and Coroners. (19 candidates for Congress.) Jonathan Dayton, Abraham Clark, Elias Boudinot, John Linn and L. Cadwallader appear to have been elected.

1717—March 14th—Brief Journal of Mr. Alexander, May 17th, while engaged in making surveys in Cape May County and the Northern Frontier.

Also, several original articles and letters, written by Walter Rutherford, as follows :

April, 1765.—An article on Paper Currency.

1783—May 16th—Letter signed "Mercator," on the "Benefits of a Foreign Trade to the State of New Jersey."

1783—May 17th—A second letter on the same subject, with a postscript in the handwriting of James Parker, of Perth Amboy.

1786—May—"State of the United American States," presenting a very discouraging view of them under the "Confederation."

17—(Uncertain)—On the conduct of the War of the Revolution; proposing to make New Jersey a central point, around which should be gathered the conservative elements in the colonies, looking to the restoration of "the old forms."

1788—September—Letter on the course of France towards America.

1788—Article on Paper Money.

1788—A Letter on the grievances and condition of the Colonies, leading to the Revolution.

1786—August—"Notes on the State of New Jersey," giving an extended account of the State in reference to the character of its population, its productions, manufactures, &c. (13 closely written foolscap pages.)

1838—Reprint of the "Report of the Commissioners on the Controversy with the State of New York respecting the Eastern Boundary of of the State of New Jersey, October 30th, 1807."

HON. R. S. FIELD offered the following resolution:

Resolved, That Mr. C. C. Haven having presented to the Society a copy of his researches into the events antecedent and subsequent to the battles in the vicinity of Trenton, entitled "Thirty Days in New Jersey, Ninety Years Ago," the thanks of the Society are due to him therefor, and for his valuable labors in illustrating such an interesting period in the history of New Jersey and of the Revolutionary war.

Judge Field preceded the presentation with some appropriate complimentary remarks, and was followed by Mr. Haven and Rev. Mr. Hamill, when the resolution was adopted.

From Mr. ARNOLD SHAW was received an interesting statistical document, showing, among other items, that the number of Steam Engines employed in the various manufacturing establishments in Newark in 1856 was 103.

Mr. DURYEE stated that thirty years since not one Steam Engine was run in Newark, and it was well worthy the attention of the Society to note the progress of the different branches of manufactures at different periods, especially the increase in the number of engines, whose workings, like the pulsations of the heart in the human body, carried life and activity into every quarter of the city. It was understood that there were now over 600 engines in operation. On his motion it was

Resolved, That Mr. Arnold Shaw be requested to furnish the Society with such

statistical information as he may have it in his power to obtain, relating to the progress and present condition of the different branches of manufactures in Newark.

Mr. WHITEHEAD read some extracts from two papers sent to the "Sons of Liberty," in February, 1766, deprecating any interference by them with the action of the lawyers in declining to transact any business while the Stamp Act was in force. The papers were in the handwriting of Cortlandt Skinner, then Attorney General of the Province.

Mr. ALEXANDER NICHOLLS presented the cane of the Rev. Alexander MacWhorter, pastor of the First Presbyterian Church, from 1759 to 1807; a fitting accompaniment to the Doctor's study-chair, which has been for some time in the possession of the Society.

A recess was then taken to allow the members to partake of a collation served in one of the rooms of the Society; after which remarks were made by Messrs. Field, Kinney, Haven, Halsted, Swords, J. P. Jackson, N. Perry, Jr., Duryee, and others, and a subscription commenced towards a fund for the erection of a Fire-proof building on the Society's lot on West Park street, Newark.

At half-past 3 P. M. the Society re-assembled, Judge FIELD in the chair.

Mr. WALTER RUTHERFURD, in behalf of Dr. Alexander N. Dougherty, presented to the Society several interesting manuscripts bearing the autographs of George Wyeth, John Marshall, Thomas Jefferson, Patrick Henry, and other distinguished Virginians, which had been rescued by him from destruction after the battle of Malvern Hill.

Col. ROBT. S. SWORDS made some remarks upon the circumstances under which the documents were obtained, their value as relics of the past, and the propriety of considering them as held in trust for whoever might show a rightful claim to them—and offered the following resolution, which was adopted :

Resolved, That the thanks of the Society are due, and are hereby given, to Dr. Alexander N. Dougherty, for the interesting autographs placed at their disposal, and that they be considered as intrusted to the Society for safe keeping, subject to the demand of any more rightful claimant.

The Chairman then introduced Prof. A. GUYOT, of Princeton, who delivered an extemporaneous address upon the "Geological History of New Jersey" as part of the North American Continent, which for nearly two hours held the unbroken attention of a large and appreciating audience.

On closing, the thanks of the Society, on motion of the Hon. WM. B. KINNEY, were returned to Professor Guyot for his profound and highly interesting lecture, and the Society adjourned.

In the evening the rooms of the Society were thrown open to the members and their invited guests, and were filled by a large assemblage of ladies and gentlemen, who, to a late hour, enjoyed the pleasures of social intercourse; the accumulated records of the past, which surrounded them, casting no shadows across the bright and joyous present.

Resident Members.

ELECTED MAY 16TH, 1867.

Thomas S. Alexander, *Newark*.
Benjamin Ayerigg, *Passaic*.
Martin R. Dennis, *Newark*.
John A. Gifford, *Newark*.
Daniel E. Hervey, *Belleville*.
Samuel Keen, *Newark*.
John H. Meeker, *Newark*.
Frank W. Potter, *Newark*.
Martin John Ryerson, *Bloomingtondale*.
Richard F. Stevens, *Trenton*.
Robert F. Stockton, *Trenton*.
Stockton Stokes, *Trenton*.
Darius Wells, *Paterson*.
Wm. H. Webster, *Belleville*.
James W. Woodruff, *Elizabeth*.
Edward H. Wright, *Newark*.

Selections from Correspondence and Papers

LAI'D BEFORE THE SOCIETY MAY 16, 1867.

LETTER FROM J. BERTRAND PAYNE, ESQ., OF ENGLAND.

CONSERVATIVE CLUB, ST. JAMES', LONDON, }
March 19th, 1867. }

DEAR SIR :—With much pleasure I recollect your courteous letter and my reply; and it gives me considerable satisfaction to be of service to your learned Society. I have caused, on the other side, to be copied my notes on Governor Philip Carteret, and I have given a short genealogical table to shew the exact relationship (that of 4th cousin) between him and Sir George Carteret. Philip De Carteret, the second son of Elias, and brother of Sir George, d. in 1665, leaving a son who settled in England, and whose descendants have long been extinct in the male line. The brother of Governor Carteret, Charles, married the heiress of the Manor of St. Trinity, in that parish, in Jersey, whose eldest descendant, but in the female line, is the Count A. H. J. de St. George, a resident and native of Switzerland, and Seigneur of S. Trinity in Jersey. James, the second son of Sir George, was a Captain in His Britannic Majesty's Royal Navy, and he died, it is believed, unmarried.* Nothing is known of the other James on this side the Atlantic, except the fact of his being an illegitimate son of Sir George, and one who played a somewhat conspicuous part in the Colony of New Jersey. It is not known whether his mother was a Jersey or a Guernsey-woman, or whether she was an attaché of the Court of Charles II.

Speaking of Charles II, it may interest your Society to know that I possess the original Coronation picture of that monarch, which was given by the King to Colonel Payne, his companion from the fatal field of Worcester.

* If *this* was the James Carteret that visited the Province in 1672, as suggested on page 23, he was married, as on the last mention made of him so far as is known (N. Y. Col. Docts., vol. III, p. 200) he was on his way from New Jersey to Virginia or South Carolina in 1673, having "his wife" in company.

I shall be happy at all times to place my best services at your command, and I am, dear sir,

Your most obedient, faithful servant,

J. BERTRAND PAYNE,

M. R. I., F. R. S. and F. R. G. S.

Capt. commanding the 4th Mx. Artillery.

W. A. WHITEHEAD, Esquire, etc., etc.

Mr. Payne's notes on Governor Carteret are omitted, as they give no new information, excepting the following brief exhibit of his pedigree :

PEDIGREE, SHEWING THE CONNECTION BETWEEN SIR GEO. CARTERET, BART, AND GOVERNOR P. CARTERET,

Philip De Carteret, Seigneur of S Ouen, Jersey, d. 1500.

Philip De Carteret, ob. juv.	Edward, Seigneur of S. Ouen.	Richard, Seigneur of the Manor of Vincheles.
Heller De Carteret, Seigneur of S. Ouen.	Francis De Carteret, second son.	
Sir Philip De Carteret, Kt. Seig. of St. Ouen.	Peter De Carteret, second son, Jurat of the Royal Court of Jersey.	
Elias De Carteret, 2nd Son,	Heller De Carteret, Attorney-General of Jersey, m. 1638, d. 1668.	
Sir George Carteret, Bart, co-grantee of New Jersey.	Philip De Carteret, Seigneur of the Manor of La Hougue, in the parish of St. Peter, Jersey, and Governor of New Jersey, b. 1639, d. 1683, s. p. Elizabeth, d. of Richard Smith, and widow of William Lawrence.	

STATEN ISLAND AND THE NEW JERSEY BOUNDARY.

[From the Historical Magazine for October, 1866.]

The accompanying papers appear to have escaped the attention of all the writers who have so ably discussed the title of Staten Island in connection with the New Jersey Boundary. They seem me to possess interest enough to deserve a place in the Magazine. They show conclusively to whom Governor Carteret himself, and his widow after him, thought proper to look for title to lands on Staten Island, and within whose "cognizance and jurisdiction" *they* understood them to lie.

It would be gratifying to know what was the result of the "Tryall" in New Jersey, and the letter to "Governor Rudiard," in August, 1684. Perhaps some of your correspondents can find the records in New Jersey.

I.—GOVERNOR CARTERET TO COMMANDER BROCKHOLLS.

[N. Y. Col. MSS., xxx. 112.]

Elizabeth Towne 8th August 1682.

Worthy Sir,

After sallutations p'mised you may please to take notis that About

the space of fifteene yeares Last past I was by Gouvern^r Nicholls putt into possession of A certaine psell of meadow Land Lying within Staton Island ouer Against the poynt called the Gouverno^rs poynt the which possession I peaceably enjoyed allso Dureing the tyme of Gouvernor Louelis And Gouvernor Andross tyme without Disturbance in word or Act saue onely that About two yeares Last past John Tunyson of Staton Island Layd claime to my s^d Meadow Land by vertue of A Dutch pattent where vpon I made Applycation: And by Gouvern^r Andross Appoyntment had an Ordor vnder the hand of Capt. Dyer for the continuance of my wrightfull possession vpon which the s^d Tunyson Did forbear makeing Any further Claime so that I haue had A continued possession Dureing all the tyme of the Aforementioned three Gouvernors which hath beene About fifteene yeares and I well hope that now In you^r tyme I shall nott be wrested out of that which I haue so long possessed And now so it is that A few dayes since I Apoynted foure or fiue men to cutt me Downe some Grasse in my sd Meadow and the Afores^d John Tunyson without my priuitye hath taken or caused to be taken Away from the sd Meadow all that I had so cutt And vpon enquiry After his Authority for his so doing I am informed that he p^rtends an ordor from you to take or carry Away all that I ether haue or shall cutt Downe or other wayes to burne the same vpon the Ground And being of oppinyon that you haue Graunted the sd Tunyson no such ordor (as he p^rtends too) therefore my request is that you will be pleased to Afforde me the benyfitt of you^r Ordor for the Continueance of my possession: as allso you^r Ordor to the sd Tunyson commanding him and all others to Dissist from further prosecuting their force vpon me to the end that I may speedely gett the remander of my Grasse Cutt and peaceably bring Away the same Leauing the p^rmisses to you^r Consideration I hope to receiue by this Bearer An Accom^p of your^r good pleasure here in with incourriagement to cutt the remayneing pt of my grasse with hearty thanks for you^r Last vissitt I remayne ssir

Your most humble Seruant

[Address]

PH. CARTERET

To Capt ANTHONY BROCKHOLLS Esq Commander
in Cheiffe ouer all his Royall Highns his
Territories in America

these p^rsents

New York.

II.—PETITION OF GOVERNOR CARTERET'S WIDOW OF GOVERNOR
DONGAN.

[N. Y. Col. MSS., xxxi. 164.]

To the Right Hon^{ble} Coll THOMAS DONGAN Gover^r Gen^l under
his Roy^l High^{ness} of all his Territorys in America.

The humble Peticon of Elizabeth the Widdow & Relict of
Phillip Carteret Esq late Governour of the Province of
East New Jersey.

Humbly Sheweth,

That the Peticoners husband had liberty granted him by Coll
Richard Nicolls the first Governo^r for his Roy^l High^{ness} in these parts, to
cutt hay for his convenience off a piece of Land, commonly called Gov-
ern^r Carterets Point, which priviledge like wise in the succeeding Gov-
ernment of Coll: Francis Lovelace, about the latter end of whose time,
your peticoners husband had a Graunt from the said Governour of a
Pattent for the said Meadow ground, & a Survey thereof was returned
into the Secretaryes Office in Order thereunto, but the surprisall of these
parts by the Dutch hindered itt's Effects.

That in the time of S^r Edm Andross when the English Government
was restored, hee had the like priviledge as before of mowing the hay
off the aforerecited Meadow, & some disturbance therein happening
after his departure, Capt. Anthony Brockholes as Dep^y Govern^r granted
an Order, dated Augst 12 1682, for his quiet possession of the same,
Notwithstanding the which your petitioner since the Decease of her
said husband, hath nott only been molested by one John Tunissen an
Inhabitant of Staten Island, pretending title to the said land, but having
by her servants taken off some hay from the said Meadow ground, hath
been arrested for a Trespasse in the Provice of East New Jersey, where
on wednsday next (if not pvented by your hon^r) a Tryall for the same
will bee: Shee therefore humbly prayes.

That your hon will be pleased to putt some stopp to the
said proceedings in New Jersey, the Trespasse (if any) being
Committed in this Government, so wholly out of the cognizance
& Jurisdiccon of any other Courts, & only tryable here, where
your petitioner shall alwayes bee ready to answer any thing

alleged ag^t her on the behalf aforesaid, and try her title to the said Meadow ground when legally brought thereunto.

And as in Duty bound shee shall ever pray &c.

(Endorsed)

The Petition read the Govern^r ordered
a letter to be sent to Govern^r Rudiard
on y^e 27th of August. [1684]

In the *Land Papers* (New York Secretary's office) Vol. I. 209, December 24, 1680, there is a description of a survey of a neck of land, containing 116 acres, situated on the northwest side of Staten Island, and known by the name of Black Poynt, laid out for John Tunisson, by Philip Welles, Surveyor—together with a draught. *Calendar of Land Papers*: 23.

Another recognition of the fact that Staten Island was held and taken to be a part of New York may be found in the Instructions of the Council of Proprietors, November 11th–19th, 1695, to Thomas Gordon, their Agent to England. In answering objections to their demand of quitrents, he was directed to "Let it then be Considered under what "quitrent Statin Island Long Island & the Bulk of the Lands in York "Governm^t were Setled by the same Coll. Nicols after the date of the "Eliz. patent. It will be found to amount to the $\frac{1}{4}$ d per acre demanded "by the prop^{rs}." MSS. N. Y. Hist. Soc.—N. Y. and N. J. *Boundary Papers*.—Vol. I. These instructions were signed by Andrew Hamilton, Daniel ———, George Willocks, John Barclay, Thomas Boell, John Reid, and Thomas Warne.

G. H. M.

New York: Sept. 1, 1866.

LETTER TO GEORGE H. MOORE, ESQ.,

LIBRARIAN OF THE NEW YORK HISTORICAL SOCIETY.

NEWARK, N. J., Nov. 10th, 1866.

DEAR SIR:—The documents made public by you in the October number of the *Historical Magazine*, relating to Staten Island, have attracted my attention, and you will pardon me, I trust, if I endeavour to remove a false impression they appear to have made upon your mind.

The point which you seem to think established by them is the recognition by Governor Carteret and his wife, of the title of New York to Staten Island, both in 1667 and 1682; whereas they merely recognize the fact, that the island, to use a phrase employed by Mrs. Carteret, was within "the cognizance and jurisdiction" of New York. It by no means follows that, because the island was then, as it continued to be

without doubt, in the possession and under the control of the officials of that Province, that it was so rightfully. Their rightful jurisdiction is the true point at issue, and as bearing thereon I conceive the documents referred to have little weight.

And first let me draw your attention to the state of things when this permission, "to cutt him Downe some Grasse" on a meadow on the island, was craved by the Governor and granted by Nicolls.

You are well aware that Gov. Nicolls, ignorant of the transfer by the Duke of York to Berkley and Carteret, of what he so justly styled "the most improvable part of His Royal Highness' dominions," had, subsequent to the date of that transfer, granted to certain enterprising emigrants from Long Island, a considerable portion of the tract; and that Gov. Carteret, on his arrival, found some of the parties actually in possession. There is abundant evidence that this state of things occasioned much embarrassment to Carteret. A stranger and alone in the Province, with no one to consult, with no one to counsel him as to the course best calculated to establish the rights of the Proprietors and his own authority, surrounded by those who questioned the extent of his powers, and, undoubtedly, impressed by the stronger will and more energetic mind of Nicolls, it is not surprising that he should have pursued a conciliatory course, thereby disarming opposition and securing harmony, until, at least, his superiors could be heard from.

Thus we find him sowing the seeds of endless trouble to himself and others, soon after his arrival, by purchasing, *for himself individually*, an interest in the lands granted by Nicolls to the original settlers of Elizabeth, thereby, as was asserted at the time and subsequently, acknowledging, although unintentionally, the validity of the conveyance; acquiring and holding a title in his private capacity, which, as Governor, he was required subsequently to repudiate. How long he had to wait for his instructions is uncertain, but in those days time and distance were substantial realities, and their impress was felt on all sublunary things—the Atlantic was not crossed in a week, nor the world girdled with an electric spark as now. However, it was while occupying this anomalous position, while in this state of doubt and uncertainty, that the Governor compromised both himself and the Proprietors by the purchase I have referred to, and by obtaining from Gov. Nicolls, also for his private emolument, "the possession of a certaine p'sell of meadow Land Lying within Staton Island," not by patent, be it observed, but so that he could have the "Grasse Cutt and peaceably bring Away the Same." That by so doing he had no idea of relinquishing the claim of the Proprietors to the island is evident, as we find him, in 1668, asserting that

claim in a document with which you are familiar, by the use of the words, "in case Staten Island falls within this government."

Entertaining no scruples about occupying for his private use a piece of ground under permission from parties actually in possession, he little supposed that by so doing he would be thought, two hundred years afterward, to have confirmed their right to that possession. No stronger proof of this can be presented than is to be found in several documents emanating from him in 1681, a year before the renewal of the privilege by Brockholst, referred to in the letter sent to Dongan by his widow, which you have published. On the 22d July, 1681, he made a formal demand of "the honorable, the governor commander in chief of all his "royal highness' territories in America at New York"—who was Brockholst himself, by the way, at that very time—to surrender Staten Island to him, and requiring the said commander-in-chief to "forbear the exercising any command authority or jurisdiction" within it; and, in behalf of Lady Elizabeth, Executrix of Sir George Carteret, made proclamation to "the magistrates officers and inhabitants to forbear "yielding any obedience to the government or jurisdiction of New "York." (Proprietary Records, Liber 3, p. 171.) On the 28th July, 1681, he also used this language in a letter to Lady Elizabeth—" * * * Staten Island, which is as much your Honor's due as any other "part of this Province." (Leaming and Spicer.)

May I not then with propriety quote your language and say of *these* documents--"they show conclusively to whom Gov. Carteret * * * * thought proper to look for title to lands on Staten Island, and within whose "cognizance and jurisdiction" he understood them to be?"

The extract from the instructions of the Proprietors to Thomas Gordon, in 1695, which you published in connection with the other documents, will not bear the interpretation you give it. I have not referred to those instructions for some years, but, if I mistake not, the reference therein made to the half-penny per acre, imposed by the Government of New York upon grantees in Staten Island, was merely to show that, *wherever* grants were issued by New York, such an assessment was not deemed too much. It was merely a circumstance educed to show the reasonableness of their demands upon their *unreasonable* settlers, with no view of *admitting* thereby any claim to the island, on the part of New York, to be right.

With true regard,

Yours,

W. A. WHITEHEAD.

To GEORGE H. MOORE, Esq., Librarian N. Y. Hist. Soc

REGIMENTAL RETURNS AND BRIGADE ORDERS.

HADDONFIELD, BORDENTOWN AND MORRISTOWN.

DECEMBER 25th, 1776.

A Brigade Return of the regiment now at Haddonfield, commanded by Col. S. Newcomb, viz:

REGIMENTS.	Colonels.	Lieut. Cols.	Majors.	Captains.	Subalterns.	Staff Officers	Sergeants.	Corporals.	Drum & Fife.	Rank & File.	Sick.	Absent.	On Duty.	Total.
Col. Ellis.....	1	1	1	3	5	3	9	6	..	54	2	19	9	
Col. Potters	1	1	..	2	6	3	8	8	2	48	3	19	..	
Col. Seeley.....	1	1	1	2	8	3	6	7	3	46	13	32	13	
Col. Dick.....	1	..	..	4	7	4	12	5	2	43	10	37	..	
Col. Holmes.....	..	..	1	2	5	3	11	8	1	16	5	4	11	
Col. Somers	1	1	1	9	9	1	..	..	..	111	..	..	11	
	5	4	4	23	38	17	46	34	8	318	33	51	44	655

FOR GUARD TO-MORROW.

Colonel, 8 privates; Col. Somers—1 captain, 1 sergeant, 11 privates; Col. Seeley—1 sergeant, 8 privates; Col. Potter—1 corporal, 8 privates; Col. Dick—1 subaltern, 1 sergeant, 7 privates; Col. Holmes—1 subaltern, 1 sergeant, 8 privates.

Parole-Countersign, HADDONFIELD.

HADDONFIELD, Dec. 26th, 1776.

BRIGADE REGIMENT FIT FOR DUTY.

6 colonels, 4 lieutenants, 4 majors, 23 captains, 44 sergeants, 63 subalterns, 45 corporals, 12 drum and fife, 274 privates.

FOR DUTY TO-DAY.

Col. Ellis—1 sergeant, 9 privates; Col. Somers—1 sergeant, 2 corporals, 9 privates; Col. Potter—1 colonel, 10 privates; Col. Seeley—10 privates; Col. Dick—1 sergeant, 1 corporal, 8 privates; Col. Holmes—1 subaltern,

6 privates; Col. Randolph—1 private. Total—1 Col., 1 Sub., 3 Serg'ts, 3 Corp's, 53 Privates.

Parole Countersign, GLOUCESTER.

HEADQUARTERS, HADDONFIELD, {
December 27th, 1776. }

Parole-Countersign, PENROSE.

No orders. The brigade marched to Bordentown, where Gen. Mifflin took command, and where a body of troops from Pennsylvania and part of the 88th battalion were, and the whole moved to Bordentown the 30th.

BRIGADE ORDERS—BORDENTOWN, {
December 31, 1776. }

GEN. MIFFLEN'S ORDERS.

The General returns his most hearty thanks to the brigade for the Alertness shown by them on the Alarm last Evening. Such Conduct does them Honour, and gives their Commanding Officer the best expectations of success. He recommends to all Officers of the Brigade to hold their respective Corps in complete order for Marching at a minute's warning, for which purpose they must prevent their Men from strolling too far from their quarters. A party of 200 Men goes out this day to harrass the Enemy, commanded by Majors Mifflin and Hubly. The commanding Officer to call at Head Quarters in this town for orders.

Guards and Picket as usual.

Field Officer of the Day—Col. PENROSE.*

Officer of the Picket—Capt. BRADFORD.

Main Guard—Capt. STOUT.

Bridge Guard—Capt. VANDERSLICE.

Every Man in the brigade must always keep by him dressed Provisions for three Days. This Order must not be neglected, as the least Deviation from it may ruin the best concerted Plans.

Parole-Countersign, READING.

* A line is drawn through the name of Col. Penrose, in the original, and that of Major Derry inserted in the margin.

BORDENTOWN BRIGADE ORDERS, }
January 1st, 1777. }

His Excellency Gen. Washington having last night, by Express, ordered the Brigade to be held in readiness to march in the Night, or early this morning, at a minute's notice. The Commanding Officer, in obedience to orders, directed the Brigade to be paraded at two o'clock, but was surprised to find very little Attention paid to the Drums. Had the enemy advanced towards this Town at that time, the Army here might have been, to their eternal Disgrace and the Ruin of their Country, made Prisoners of War. In future, when the Brigade is ordered to be assembled by Night or by Day, the long roll will be beat; upon which signal every Officer and Soldier must turn out with the greatest alacrity and form on their proper Ground in the Street. They are not to wait for the Drums beating to Arms. The long roll is the proper signal for turning out, and must be attended to, as much as beating to Arms.

Gen. Washington has detached a large Body of Men towards the Enemy at Princeton, which in all probability will bring on a General Action. The Brigadier-General, therefore, exhorts all his Officers and men, as they love their Country and wish to see her secure and happy, to hold themselves in complete order to march at a minute's warning. The reputation of the Brigade depends on their Alacrity and Readiness to obey orders, and to turn out to face their Enemy.

Doctor Potts, Surgeon-General to the Brigade, requests the officers to make returns to him at Headquarters in this Town of their sick and wounded without the least Delay, as the men frequently suffer much from the neglect of such returns. A Brigade hospital will be established this Day to receive the sick, &c.

In future the Guards and Picket are to be paraded near Headquarters at 10 o'clock in the Morning, that the Relief may take Place time enough for those who are to be relieved to have their Dinners at a seasonable hour.

Major Holland is sent by his Excell'y Gen. Washington to assist in forming and arranging the Brigade, which consists of many small Corps, and of course requires a general Arrangement. Unavoidable Difficulties and much Danger would arise from having them in their present state. The Officers and men are, therefore, to pay great Attention to the Arrangement, to know their Places, and to be able to form, when Occasion requires, in an instant. Good Order, Discipline and a Good Cause, are the surest Steps to victory and to Glory.

• Parole,

C. S.

AFTER ORDERS.

An Express this minute arrived from Major-General Green, at Trenton, informs that the Enemy are in Motion, but their Design not known. General Green expects their Design is against Gen. Cadwallader. It therefore becomes very necessary to hold ourselves in readiness to support that General upon the shortest notice. The Men must not stroll from their Quarters. Doctor Potts proposes to establish a Brigade Hospital in the house of Edwards Brooks, in this Town, which must be immediately cleaned out for that Purpose. No others than sick and wounded and necessary attendants to remain in the House.

HEADQUARTERS—MORRISTOWN, }
January 8th, 1777. }

The troops are to hold themselves in readiness to march at a Moment's warning. Provisions to be furnished them and cooked agreeable to General Orders, if not already done.

GEN. MIFFLIN'S ORDERS TO HIS BRIGADE.

January 9th, 1777.

Gen. Mifflin's Brigade to draw and cook three Days Provisions, and to be ready to march at a minute's warning. Rum may be had at the Commissary's store. The General cannot believe that any of his Brigade will desert the service at this moment, and thereby encourage the Enemy to push forward to Philadelphia, which is not so safe from the Enemy's advances as many persons have imagined. Great Reinforcements are expected from New England, which will give Relief to the Brigade. But if we return home and leave the Enemy in the field, they will most certainly advance towards the Delaware, and finding only a weak Army to oppose them, take possession of New Jersey and Pennsylvania, and renew their horrid scenes of Desolation and Murder. A bad example set by one man in deserting his Country at this time may be the ruin of the middle Colonies, if not of all America. The Baggage of the Brigadier is hourly expected. If the troops should move, good quarters shall be given them.

HADDONFIELD, Feb. 26th, 1778.

Received of Franklin Davenport the several sums affixed to our Names

in full for our pay and Bounty whilst in the Artillery, in September last, as witness Our Hands.

His	£	s.	d.
John X Telford.....	5	12	6
mark.			
Samuel Cole.....	6	17	0
James Haines for }			
Benjamin Haines }	5	12	6
For Judiah Haines.....	5	12	6
Benjamin Whittall, Lieut.....	12	12	6
George Sparks.....	6	12	6
Received for Thomas Langley, }			
Per me George Sparks, }	3	7	6
Samuel Hugg, Capt.....	18	15	0
His			
Thos. X Heath, for himself.....	5	12	6
mark.			
His			
Jos. X Flint.....	2	16	3
mark.			
Thomas Magee	5	12	6
Dan'l Lawrence.....	2	12	6
His			
Philip X Peters.....	5	12	6
mark.			
	£90	8	3

LETTER FROM DAVID OGDEN, OF NEWARK, TO PHILIP
KEARNEY, OF PERTH AMBOY,

IN REFERENCE TO A PROPOSITION TO RESUME LEGAL BUSINESS WITHOUT
THE USE OF STAMPS.

(See Analytical Index to Colonial Documents, p. 385.)

FROM THE ORIGINAL IN THE POSSESSION OF MR. WM. A. WHITEHEAD.

NEWARK, Jan'y 14th, 1766.

D'R SIR:

I this Day rec'd your Favour of the 31st of last Month, enclosing a Request of several Gentlemen of the Law to appoint a Meeting of the Attornies, in Consequence of the Agreement entered into the last Burlington Term.

I heartily wish I could join those Gentlemen therein, as it always gives me a very sensible Pleasure to concur with so great a Number of my Profession; but at Present must think that those Reasons which prevailed on the Attornies first to enter into so laudable a Agreement, founded on a true spirit of Patriotism, still subsist, Which Agreement was soon followed by the Gentlemen of our Profession in the Neigh-

bouring Colonies. It will give me great Pain to see so noble & self-Denial an Act first sullied by us who set the Example. And unless some Reasons do appear more powerful than those on which the Agreement was founded, I hope it will remain. I know of none at Present, & should have been glad those Gentlem'n had mentioned what induced them to request a Meeting of the Attornies to vacate, as I suppose, that Agreement. For my own Part I am fearful, from Acc'ts lately rec'd from Home, that our Troubles are but beginning. I think it prudent for those Gent'n, so inclined in a King's Government, not to act in open Violation of a Law of the British Parliament, when not under the absolute Necessity for Self-Preservation so to do, which God forbid should ever be our Case. Can it be supposed that our Judges and Clerks, commissioned by the Crown, will at this Time proceed in the usual Method regardless of the Act of Parliament. I must submit if any Attorney would now, as an Attorney & Friend to the Officers of the Court, advise it; and whether it is not far more adviseable for the Agreement to remain inviolable till We hear what the Parliament will do in American Affairs, Which in all Probability We shall know sometime in March next.

I conceive you had best write to those Gent'n to recall their Request, but if they persist in it I think a Meeting of the Attornies ought to be had, as it was Part of our Agreement when requested by a proper Number. Perth Amboy, I think, should be the Place, and I believe was mentioned at Burlington.

Above you have my Thoughts on your Letter, which I wrote in a Hurry, & should have been glad to have had more Time to enlarge on so important a Subject. What is omitted you no Doubt will supply, if you concur with me in Sentiment.

I returned from New York on Fryday last, and do assure you that the Gent'n of the Law there had not then done any Business; neither do I think they will soon proceed, notwithstanding their Resolutions.

If, upon the whole, you appoint a Meeting, pray let me know the Day you fix, & I will give the Gent'n of the Law this Way Notice thereof, & attend myself accordingly.

I am, D'r Sir,

Your most Obed't Serv't,

DAVID OGDEN,

PHIL. KEARNEY, Esq.

Donations

ANNOUNCED MAY 16TH, 1867.

From the Maine Historical Society—Memorial Volume of Popham Celebration, Aug. 29th, 1862; commemorative of the planting of the Popham Colony on the Peninsula of Sabino, Aug. 19, O. S. 1607, establishing the title of England to the Continent.

From the Minnesota Historical Society—Collections of the Minnesota Historical Society for the year 1867.

From the Iowa State Historical Society—The Annals of Iowa, a quarterly publication, for January and April, 1867.

From the Essex Institute—Historical Collections of the Institute. Vol VIII. March, 1866. No. 1.

From the Wisconsin Historical Society—Journals of the Senate and Assembly of Wisconsin, from 1860 to 1866.

Governor's Message and Documents, 1859 to 1865.

Public, Private and Local Laws of Wisconsin, 1859 to 1866.

Transactions of the State Agricultural Society, 1860.

The Wisconsin Farmer, a Monthly Journal, devoted to Agriculture, Horticulture, and Mechanical and Rural Economy.

Adjutant-General's Reports, 1863 to 1865. Total, 42 bound vols.

Reports of the State Superintendents of Public Instruction, for the years 1857, 1858, 1860 and 1863.

Annual Report of the Secretary of State of Wisconsin for the year ending Sept. 30, 1864.

Second Annual Statement of the Trade, Commerce and General Business of Milwaukie, for 1859.

Reports of the Board of Managers of the Philadelphia Society for the Establishment and Support of Charity Schools, for 1852, '53, '54, '55, '56 and '57.

Sixth Annual Report of the Directors of the Girard College for Orphans, to the City Councils, for 1853; with a Statement of the Proceedings at the Anniversary, Jan. 2, 1854, and a Catalogue of the Officers and Pupils for 1854.

Statutes of Columbia College, May, 1848, to which is prefixed an Historial Sketch of the College.

Progressive Democracy. A Discourse on the History, Philosophy and Tendency of American Politics, delivered in National Hall, New York City. By D. Francis Bacon. 1844.

From the Chicago Historical Society—Address of the Hon. Wm. Bross, Lieut. Gov. of Illinois, on the Resources of the Far West and the Pacific Railway, before the Chamber of Commerce of New York, Jan, 25, 1866.

Memorial of Lieut. Col. John A. Bross, 29th U. S. Colored Troops, who fell at Petersburg, July 30, 1864. By a Friend. Together with a Sermon by his Pastor, Rev. Arthur Swazey.

Proceedings of the Chicago Bar, &c.

"America as a Field for the Exertions of the Christian Scholar: " an Address before the Williams College, by Hon. Wm. Bross, Class of 1838, at the Commencement, July 31, 1866.

Song of the Old Church at Williamstown, A Poem, delivered on the same occasion, by Rev. J. Clement French, of Brooklyn, N. Y., class of 1853.

Message of Gov. Richard J. Oglesby, Jan. 7, 1867.

Sixth Biennial Report of the Superintendent of Public Instruction of the State of Illinois.

From the Maryland Historical Society—Memoir of Jared Sparks, LL.D. By Brantz Meyer, President of the Society. Read before the Annual Meeting, Thursday evening, Feb. 7, 1867.

From the Numismatic and Antiquarian Society of Philadelphia—Proceedings of the Society, from May 4, 1865, to Dec. 31, 1866.

From the Literary and Historical Society of Quebec—Transactions of the Society. Session of 1865-6. New Series. Part 4. Extract from a Manuscript Journal relating to the Siege of Quebec in 1759, kept by Col. Malcolm Fraser, then Lieut. of the 78th (Fraser's Highlanders) and serving in that Campaign. Published under the auspices of the Society.

From the Department of the Interior—Documents of the Second Session of the 28th Congress—in all 28 vols.

From the State of Pennsylvania—Pennsylvania Archives; selected and arranged from Original Documents. By Samuel Hazard. 1781 to 1790. Appendix 1790, and Index. 5 vols.

From the American Philosophical Society—Proceedings of the Society. Vol. X. 1866. No. 76.

From Hon. F. T. Frelinghuysen—Report of the Superintendent of the Coast Survey, for 1864.

From the Authors—A History of the Bills of Credit, or Paper Money issued by New York, from 1709 to 1789: with a Description of the Bills, and Catalogue of the various issues. By John H. Hickcox, Author of American Coinage. 1866.

The Government of Sir Edmond Andros over New England, in 1688 and 1689. Read before the New York Historical Society, on Tuesday evening, Dec. 4th, 1866. By John Romeyn Brodhead.

Remarks on Tobasco, Mexico, occasioned by the reported discovery of remains of ancient cities being found in that locality. By Charles H. Hart, Cor. Sec. of the Numismatic and Antiquarian Society of Philadelphia.

A Historical Sketch of the National Medals issued pursuant to resolution of Congress, 1776–1815. By Charles H. Hart. Read before the N. & A. Society, Nov. 1st and 15th, 1866.

Medicine and Astrology. A Paper read before the Numismatic and Antiquarian Society of Philadelphia, June 7th, 1866. By Henry Phillips, Jr.

Some Observations on Early Currency of Maryland. By Henry Phillips, Jr. Read June 7th, 1865.

The Pleasures of Numismatic Science. By Henry Phillips, Jr. Read Oct. 4th, 1866.

Memoir of Marshall P. Wilder. By John H. Sheppard, A. M., Librarian N. E. Historic-Genealogical Society.

From Mr. Jno. S. Blatchford, Gen. Secretary Sanitary Commission, Documents of U. S. Sanitary Commission. Serial Documents, No. 1 to 85, inclusive, in 2 vols. Bulletin, No. 1 to 40, inclusive. 1 vol.

From Col. R. S. Swords—Poems by Richard B. Davis; with a Sketch of his Life. "A simple solitary bard was he." 1807.

The Massachusetts Magazine; or Monthly Museum. Vol. 1, 1789, and Vol. 3, 1791.

The Nova-Scotia Magazine. Vol. 3. July to December, 1790.

The Christian Journal and Literary Register. Vols. 1, 2 and 3, for 1817, 1818 and 1819. The Churchman's Magazine. Vol. 6, for 1809; Vol. 1, for 1813. New Series.

Memoirs of the Protestant Episcopal Church of the United States of America, from its Organization to the present day. By William White, D.D. Second Edition. 1836.

The Olive Branch, or Faults on Both Sides, Federal and Democratic. By M. Carey. Tenth Edition, improved. June 1, 1818.

Publications of the Sanitary Commission, viz. Reporter 24, Bulletin 37, Miscellaneous 40—with "Our Daily Fair," published by the Committee of the Philadelphia Fair for the Sanitary Commission.

Willett's Map of the State of New York, containing the principal Turnpike Roads and the Route of the Erie Canal, from Erie to Hudson's River.

A Medal, commemorative of the opening of the Erie Canal.

From Rev. Charles E. Hart—Tenth Anniversary of the North Reformed Dutch Church, Newark, N. J.

From Mr. Henry N. Beach, of Orange—Civilization of the Indian Natives; or a Brief View of the Friendly Conduct of William Penn towards them in Pennsylvania. By Halliday Jackson. 1830.

From Mr. H. Onderdonk—Fiftieth and Fifty-first Reports of the Long Island Bible Society.

From Mr. Charles H. Hart, of Philadelphia—The Trial of Religious Truth by its Moral Influence. A Sermon preached Oct. 9th, 1750, by J Witherspoon, A. M., Minister of the Gospel in Paisley.

Catalogue of Additions made to the Library of Congress, from Dec. 1st, 1865, to Dec. 1st, 1866.

J. M. Scovell's Speeches before the Anti-Monopoly Convention at Trenton, N. J., Feb. 1, 1865—and in the N. J. Senate on the Air-Line Rail Road Bill.

Letter of Chancellor Walworth, on what may be done by the Public in anticipation of the Cholera. 1866.

Annual Reports of Mercantile Library Association of City of N. Y. and 42d, 43d and 44th An. Rep. of Mer. Lib. Co. of Philad. 1867.

From Mr. Wm. B. Trask, of Boston—Journal of several visits to the Indians of Kennebec River. By Rev. Joseph Baxter of Medfield, Mass., in 1717. With Notes, by Rev. E. Nason.

From Mr. Joel Munsel, of Albany—David Cusick's Sketches of Ancient History of the Six Nations, comprising—1st. A Tale of the Two Infants Born, and the Creation of the Universe. 2d. A Real Account of the Early Settlers of North America, and their Dissensions. 3d. Origin of the Kingdom of the Five Nations, which was called a Long House. The Wars, Fierce Animals, &c. Lockport. 1848.

Howard Townsend's Paper on the Sinai Bible. Read before the Albany Institute, Dec. 15th, 1863.

Literary Societies; their Uses and Abuses. An Address before the Wesleyan Literary Association of the New York Conference Seminary; Sept. 28th, 1862. By Thomas Montgomery.

The Study of the English Language and Literature as an Educational Force. By M. P. Cavert, A. M. Read at Geneva before the N. Y. State Teachers Association in 1866.

An Essay on Motion and Force, read before the Albany Institute, April 24th, 1865. By L. Allen.

Address at the Funeral Service of the Late Col. Lewis Benedict. May 1, 1864. By Rev. C. D. W. Bridgman.

A Discourse on the Death of Mrs. Mary Earle, wife of Geo. Earle, Esq. By Rev. William Whitaker. May 9th, 1865.

Rules and Regulations of the Maple Grove Cemetery Association, of Worcester, Otsego Co., N. Y. 1865.

The Song of the Sexton, addressed to his Shovel, after the Dedication of the Albany Cemetery. By Old Mortality.

Rev. Ray Palmer's Reminiscences of Fifteen Years' Work in the First Cong. Church, Albany, Dec. 24th, 1865.

Articles of Faith and Covenant, with the Principles of Government and Discipline adopted by the First Congregational Church, Albany. 1853.

Covenant and Membership of State Street Presbyterian Church, Albany. Minutes of the Particular Synod of Albany. May 2d, 1866.

Bible Societies Reports. 52d of the Schoharie, Oct. 10th, 1865. 55th of the Albany County. 48th of the Fulton and Hamilton Counties: and proceedings 54th Anniversary of the Washington County, N. Y.

Union College. Bulletin of Class of 1862. Second of Class of 1864. Treasurer's Annual Report, June, 1865. Burial of Mechanics. 1864.

The Principles of Hydropathy. By David A. Harsha. Glaucoma and its Cure, by Iridectomy. From the French of Testelin and Warlamont. Translated by C. A. Robertson, A. M., M. D.

A Manual of Practical and English Grammar, on a New and Easy Plan. By Hez. Munsell, Jr. Webster's Calendar for 1864, 1865, 1866 and 1867.

Laus Patriæ Celestis. Translation of an Ancient Latin Hymn.

From Mr. Asher Taylor, of New York—The Eighth Annual Report of

the Board of Management of the Veterans of the National Guard, N. Y., containing the Roll of Members. April, 1867.

From Mr. John Rutherford—The Future of Africa, being Addresses, Sermons, etc., etc. Delivered in the Republic of Liberia. By Rev. Alex. Cummell, Queen's College, Camb. 1862.

From Mr. Samuel Allison—A Brief Sketch of the Efforts of Philadelphia Yearly Meeting of the Religious Society of Friends, to promote the Civilization and Improvement of the Indians; also, of the Present Condition of the Tribes in the State of New York. 1866.

From Mr. Daniel Dod—Invitation Card of "Newark Dancing Assembly." December 14, 1802. Elias Van Arsdale, James Hedden, David B. Ogden and Moses Hedden, Managers.

From Mr. Alexander Nichols—A Silver-Mounted Cane, formerly of Alex. Macwhorter, D.D.

From Rev. R. K. Rodgers, D.D.—A Bond of the C. S. A. for \$1000. No. 9536. Fifth Series—with 60 Coupons. Bond dated March 1, 1864. Due July 1, 1894.

From Mr. S. Alofsen—Charles J. Ingersoll. Historical Sketch of the Second War between the United States of America and Great Britain. Horace Greeley. The American Conflict. Illustrated. Vol. II. 8vo., cloth.

The Rebellion Record, with Portraits. Vol. IX. 8vo., cloth.

John Minor Botts, of Virginia. The Great Rebellion. 12mo., cloth.

Wm. Wells Brown. The Negro in the American Rebellion. 12mo., cloth.

One complete copy of the pamphlets relating to the Rebellion. Published by the Loyal Publication Society of New York. 87 in number. 8vo., paper.

A Portrait in Oil of Henry Clay. Painted for Mr. Alofsen, in 1847, By Cafferty, of New York, in an ornamental oval gilt frame.

A Plaster of Paris cast of the Seal of the New Jersey Historical Society, sunk in a ball of flint glass as a letter weight, made in the Jersey City Glasshouse in 1853.

Also, from *Mr. John Rutherford*, a large collection of Newspapers of the last century, with many valuable Pamphlets and Maps, relative to New Jersey. Exclusive of these, 97 books and 242 pamphlets have been received since the annual meeting.

PROCEEDINGS
OF THE
New Jersey Historical Society.

SECOND SERIES.

VOL. I.

1868.

No. 2.

TRENTON, January 16th, 1868.

The Annual Meeting of the Society was held this day, in accordance with the By-Laws, the Hon. RICHARD S. FIELD, First Vice President, presiding.

The Recording Secretary having been unavoidably prevented from being present, the reading of the minutes of the last meeting was dispensed with.

The Corresponding Secretary submitted letters from Messrs. Benjamin Ayerigg, Edward H. Wright, John H. Meeker, Richard F. Stevens Martin J. Ryerson, Darius Wells, John A. Gifford, James W. Woodruff and Daniel E. Hervey accepting memberships; from Messrs. John Gilmary Shea, C. C. Haven, W. H. Molleson, J. E. Hilgard, Asst., in charge of the Coast Survey, S. Stokes and the State Treasurer, transmitting donations; from Mr. F. S. Conover, of Princeton, relative to a silver medal commemorative of the gallantry of Col. De Fleury, at Stony Point in 1779, found in Princeton some years ago, but now it was feared, lost; from Messrs. Martin B. Scott, of Cleveland, Ohio, and Charles Brown, of Chillicothe, on Genealogical subjects; from Mr. H. Redfield, enquiring for the right orthography of "Metuchen;" and from various other individuals relative to operations of the Society.

The Treasurer reported a balance in the Treasury of \$369 07.

The Librarian announced the donations received since the last meeting, 179 in number.

The following Report was received from the Executive Committee:

"The Executive Committee referring to the statement of the Librarian and Treasurer for matters of detail, would respectfully report that,

on this the twenty-third anniversary of the organization of the Society, they feel warranted in congratulating the members on its confirmed position among the institutions of the State.

"Each year serves to establish it more assuredly as a necessity, and although its progress may not be as rapid, or the sphere of its usefulness as extensive as would be the case were its means less restricted, yet it is abundantly evident that in many ways it contributes to the convenience of the community, tends to the upholding of the honor of the State, and is doing its part efficiently and effectually in perpetuating a history of which every Jerseyman may feel proud.

"Without endowments or public aid, forced so far in its career, to depend upon the liberality of its members for all that it has accomplished, it cannot compare either in wealth or influence with many kindred institutions differently situated and even younger in years. It is to be regretted that, among the many Jerseymen, at home and abroad, of ample resources, some have not been found willing to do honor to themselves and the State by conferring upon the Society the means for increased usefulness.

"The re-arrangement of the Library, the cataloguing of the books, pamphlets and manuscripts, and other circumstances which have characterized the past year of the Society's life, give promise, it is hoped, of other improvements that are to follow. There is work enough for all, and to the younger members particularly is an appeal made, to give more attention to that history of which the Society is the depository, that a greater interest may be felt in its operations, and that they may be prepared to take the places of others, their elders, who are yearly being removed from us.

"Within a few days one has passed away, whose loss will be more particularly alluded to by the Committee of which he was the chairman — whose presence at our meetings was always pleasantly anticipated, and during the year several others have had their connection with us severed by "the reaper Death." Prominent among them was one whose name was enrolled as a member on the day the Society was organized in this city, February 27th, 1845; who delivered on the 7th May following the first Discourse before it, arousing attention to our history and giving an impetus, at once, to the operations of the Society, and whose interest in it continued unabated so long as he remained a citizen of the State. The Committee refer to CHARLES KING, L.L. D., who died at Frescati, near Rome, Italy, on the 27th of September last.

"Having received a finished education to which subsequent scholastic attainments of the highest character had given direction and efficiency,

Mr. King's whole career may be said to have been one of letters; and whether in the conduct of public Journals, in the Presidency of Columbia College, or in the discharge of the duties and responsibilities of private life, he ever manifested intellectual abilities of a high order, and won the regard of all by his many esteemable qualities. The older members will ever remember with pleasure their associations with Mr. King.

"Of the twenty gentlemen who participated in forming the constitution of the Society, only ten are living, and the broken ranks call for reinforcements. The Committee hope that the call will not be unheeded."

The Report was accepted, and on motion the reference to the death of Mr. King was directed to be entered on the minutes.

The Committee on Publications reported the issue of another number of the "Proceedings," bringing them down in print to the present time, being the first number of the Second Series. The first series contained ten volumes of about 200 pages each, comprising all the proceedings of the Society, together with many valuable papers read before it, from its organization to 1866 inclusive.

The Committee drew the attention of the members to the publications of the Society that are for sale. The appeals made on former occasions had not been responded to as was expected, but if each member would supply himself with copies of the different volumes, a material increase in the funds would be the natural result.

The condition of the Treasury not rendering it advisable at present, the Committee had not taken any steps towards the reprinting of the 3d volume of the Proceedings, which was referred to them at the last meeting. It would be undertaken so soon as circumstances might warrant.

The Committee on the Library reported that, all that was in progress for the better arrangement of the Library and the convenience of those using it when the Society last met, had been completed, and the Committee were able to report the books, pamphlets and manuscripts (with a few unimportant exceptions) as catalogued and properly arranged; the services of an assistant Librarian had been retained up to the 1st October last, and the rooms up to that time, had been kept open daily for the accommodation of the members and others properly introduced. Since then, members have had access to the rooms at certain hours each day, when the Treasurer has been present.

An actual count of the bound volumes, and of volumes of pamphlets prepared for binding, made the number on the shelves exceed 5,000, and the report of the Librarian had shown that donations continued to be received, ensuring a gradual but steady increase.

The lease of the rooms occupied by the Society expiring on the 1st April next, the Committee had effected a renewal for five years on favorable terms, looking to the voluntary subscriptions of the members to the Library Fund, not only for a sufficient amount to cover the rent, but such additional sums as might enable the Committee to continue as a permanent arrangement, the employment of an assistant Librarian, which was found so beneficial during the last summer.

The Committee stated that, since the last meeting Mr. John Rutherford, one of the Vice Presidents, had deposited in the Library twelve *folio volumes* containing the Journals of the British House of Commons, in manuscript, from the 13th April, 1647, to January 19th, 1650, with the exception of some months.

Mr. Rutherford had also placed in the Library a large number of folio volumes containing the records of title to the large landed estates of James Alexander, containing at length not only the deeds to him for numerous and extensive tracts, both in New Jersey and New York, but also the deeds given by him to individuals for portions thereof, containing much matter of interest to the antiquary and genealogist, as well as to those that may now be in possession of any of the tracts referred to.

The Report thus concluded :

"The Committee cannot close their report without adverting to the melancholy event which has rendered necessary its presentation by another than their chairman. Mr. Walter Rutherford who has held that position since the establishment of the Committee in 1860, has within a few days been called away from us, in all the vigor of mature years, and while occupying a sphere of extended usefulness. It comes not within the province of the Committee to comment on the vacancy his death has caused in his own family, in a wide circle of personal friends, and in political and religious associations with which he was connected ; but so far as refers to his connection with this Society, they do not hesitate to say that the members who have so long enjoyed such satisfactory intercourse with him and recognized his worth, will long have occasion to regret his loss.

"Mr. Rutherford was admitted a member in September, 1846, and has been seldom absent from our meetings since. He ever took an active part in everything calculated to elevate the Society in public estimation, and to facilitate its operation, manifesting at all times those aspirations for the right and that due consideration for others, characteristic of the Christian gentleman ; setting an example in all the relations of life, of the assiduity with which the good citizen should discharge his duties. The committee would respectfully request that this notice of his death may be entered upon the minutes"—which was directed to be done.

The Committee on Nominations reported favorably on the names of a number of gentlemen which had been referred to them, and on balloting all proposed were duly elected. New nominations were also received and referred.

The following Standing Committees for the year 1868, were appointed by the Chair :

On Publications—Richard S. Field, William A. Whitehead, Henry W. Green, Samuel H. Pennington, M. D., and Rev. John Hall, D. D.

On the Library—Joseph P. Bradley, Peter S. Duryee, John P. Jackson, Martin R. Dennis, with the Treasurer and officers residing in Newark.

On Nominations—David A. Hayes, Peter S. Duryee, and Rev. R. K. Rodgers, D. D.

On Statistics—N. Norris Halsted, F. Wolcott Jackson, Rev. Samuel M. Hamill, D. D., C. M. Shreeve, and Arthur Ward, M. D.

Messrs. Bowne and Allison were appointed a committee to nominate officers for the ensuing year, and having submitted the following list, it was adopted unanimously :

President,

JAMES PARKER.....*Perth Amboy.*

Vice Presidents,

RICHARD FIELD.....*Princeton.*

HENRY W. GREEN*Trenton.*

JOHN RUTHERFURD.....*Newark.*

Corresponding Secretary,

WILLIAM A. WHITEHEAD.....*Newark.*

Recording Secretary,

DAVID A. HAYES.....*Newark.*

Treasurer,

ROBERT S. SWORDS... ..*Newark.*

Librarian,

SAMUEL H. CONGAR.....*Newark.*

Executive Committee,

SAMUEL H. PENNINGTON, M. D.....*Newark.*

CHARLES S. OLDEN.....*Princeton.*

R. K. RODGERS, D. D.....*Bound Brook.*

N. NORRIS HALSTED.....*Hudson Co.*

JOHN HALL, D. D.....*Trenton.*

SAMUEL M. HAMILL, D. D.*Lawrenceville.*

JOHN CLEMENT... ..*Haddonfield.*

CHARLES C. HAVEN.....*Trenton.*

WILLIAM B. KINNEY.....*Newark.*

Messrs. Clement, of Haddonfield, Swords of Newark, and Haven of Trenton, offered suggestions relative to the acquisition of historical and genealogical manuscripts known to exist in different parts of the State ; and also as to the best mode of increasing the number of members.

Mr. Whitehead gave notice of an intended amendment to the By-Laws which he should call up at the next meeting, making the officers of the Society *ex-officio* members of the Executive Committee.

He also drew the attention of the Society to the very acceptable services that Mr. Horace N. Congar, the Secretary of State, had rendered to all interested in the history of New Jersey, by the careful examination to which the public documents and records in his office had been subjected, leading to the preservation, re-arrangement, management and binding of much historical material that heretofore could scarcely be said to have been accessible, and offered the following resolution, which was adopted :

Resolved, That the thanks of the members of the New Jersey Historical Society are due to Horace N. Congar, Esq., Secretary of State, for the services rendered by him to all interested in the history of New Jersey, in arranging, binding and otherwise putting in a state of preservation the documents and records in his office, and that he be requested on the completion of his labors, to have a catalogue of the collection prepared.

The Society then took a recess for dinner.

On reassembling in the afternoon, Mr. JOHN Y. FOSTER of Newark, read an exceedingly interesting paper illustrative of the gallantry of the troops of New Jersey during the late war, the more prominent deeds of the different arms of the service being succinctly yet forcibly presented, much to the gratification of his audience.

On closing, Col. Swords after some preparatory complimentary remarks, moved the presentation of the thanks of the Society to Mr. Foster, which were adopted.

The Society then adjourned to meet in Newark, on the third Thursday of May next.

Donations

ANNOUNCED JANUARY 16, 1868.

From the Massachusetts Historical Society—Proceedings of the Massachusetts Historical Society, 1866-'67. Published at the charge of the Peabody Fund.

From the American Antiquarian Society—Proceedings of the American Antiquarian Society, April 24, 1867.

From the Minnesota Historical Society—Collections of the Minnesota Historical Society for 1860, '64, '67.

Minnesota, its Progress and capabilities, 1860-1.

The Minnesota Year Book for 1851-2. By W. G. DeDuc.

Geology and Mineralogy of Minnesota, 1848, '59 and '64. By Col. Charles Whittlesy.

The Lesson of 1860. A Sermon, Feb. 3, 1861. By Rev. Wm. Speer. Baldwin School, St. Paul. Catalogue for 1853, and Address at the Dedication of the Edifice.

The Carver Centenary at Carver's Cave, 1867.

From the New Hampshire Historical Society—Report of the Adjutant General, and Quarter Master General of New Hampshire. 1866.

From the Iowa State Historical Society—The Annals of Iowa, July, October.

From the Literary and Historical Society of Quebec—Transactions, and Papers. Session of 1867. New Series. Part 5.

From the New England Historic-Genealogical Society—Register and Antiquarian Journal. July and Oct., 1867. Jan. 1868.

From the Chicago Historical Society—Ninth Annual Report of the Chicago Board of Trade. Eleventh Annual Report of Chicago Reform School.

From the Long Island Historical Society—Fourth Annual Report.

From the Essex Institute—Historical Collections. Vol. 8. No. 3 and 4.

From the Wisconsin Historical Society—Report on the Disastrous Effects of the Destruction of Forest Trees in Wisconsin. By J. A. Lapham. J. G. Knapp and B. Crocker, Commissioners.

From the Wilmington Institute—Annual Report, 1867.

From the Assistant in Charge—Report of the Superintendent of the Coast Survey, for the year 1865.

From the U. S. Interior Department—Documents of the First Session of the Thirty Ninth Congress. 35 Volumes.

From the State of New Jersey—Senate Journal. Minutes of Assembly. Legislative Documents, and Laws of N. J. 1867.

McCarter's Equity Reports. Vol. 15. Green's Equity Reports. Vol. 16. Statutes at Large, and Treaties of the U. S. A. Second Session 39th Congress; 1866-7.

New Jersey Law Report. Vol. XXXI.

From the Smithsonian Institute—Smithsonian Contributions to Knowledge. Vol. 14. Smithsonian Collections. Vol. 6 and 7.

From Princeton College—Triennial Catalogue. 1866.

Dr. Duryea's Commemorative Address, and the Princeton Roll of Honor, by Prof. Cameron.

From Harvard College—Annual Report of the President and Treasurer. 1866-7.

From the New Jersey Agricultural Society—A Treatise on the Insect Enemies of Fruit and Fruit Trees. By Dr. I. P. Trimble.

From the Author—The Baptists of Trenton. An Historical Discourse in First Baptist Church, Oct. 1867. By D. Henry Miller, D. D., Pastor.

From Henry G. Darcy—The New York Evening Post for the years 1831, 1832, and 1833, bound 3 Vols.

From Jacob Weart—Hair of John Hart, Signer of the Declaration of Independence.

From C. C. Haven—Photograph of Head Quarters in Trenton of Gen. St. Clair.

Photograph of James B. Coleman, M. D., of Trenton, N. J.

Photograph of Wm. L. Dayton.

From H. N. Congar, Secretary of State—General Orders of Gov. Aaron Ogden, April 11th and Nov. 16th, 1812; and General Orders of Commander in Chief of New Jersey, Nov. 10th, 1808.

From Stockton Stokes—Photograph of Mr. C. C. Haven.

From John Gilmary Shea—Narrative of a Captivity among the Mohawk Indians. A Description of New Netherlands in 1642, 1643, and other Papers. By Father Isaac Jaques, of the Society of Jesus, with a Memoir of the Author, by J. G. Shea.

A Description of the Province and City of New York in 1695; By John Miller. Edited by J. G. Shea. 1862.

Collection of rare and Original Documents and Relations concerning

the Discovery and Conquest of America; chiefly from the Spanish Archives. No. 1. By E. G. Squier, M. A. F. S. A.

Private Journal kept during a Portion of the Revolutionary War, by Margaret Morris, of Burlington, N. J. Privately Printed. Phila. 1836.

A Relation of the successful beginnings of the Lord Baltimore Plantation in Maryland, 1634.

The Sot Weed Factor; or Voyage to Maryland. 1634. London. 1708.

Vocabulary of the Clallam and Lummi Languages. By George Gibbs.

A Grammatical Sketch of the Heve Language, translated from an unpublished Spanish Manuscript. By Buckingham Smith. 1861.

A Dictionary of the Chinook Jargon, or Trade Language of Oregon. By George Gibbs. 1863.

Alphabetical Vocabulary of the Chinook Language. By George Gibbs.

Vocabulary or Phrase Book of the Mutnen Language. 1862.

Radical Words of the Mohawk Language. By Rev. J. Bruyas. 1861.

A Bibliographical Account of Catholic Bibles and Testament, printed in the United States. By J. G. Shea. 1859.

La Vie du R. S. Pierre Joseph Maria Chaumont, de la Compagnie de Jesus, Missionaire dan la Nouvelle France, l'an 1688.

Relation de sa Captivite parmi les Onneiouts en 1690-1. Par le R. P. Pierre Milet de la Comp. de J. 1864.

Journal de la Guerre du Misisipi contre les Chicachas, En 1739. et finie en 1748.

Extrait de la Relation des Avantures et Voyage de Mathieu Saguean. Relation des Missions a la Colonie Huronne. 1672 et '73.

Relation des Missions au Pais des Outaouacs et aux Illinois, des annes 1673 jusque en 1679.

Relation ou Journal du Voyage du R. P. Jaques Gravier, de la Comp. de J. in 1700, depuis le pays des Illinois jusqu'a l'embouchure du Mississipi.

Relation des Affaires du Canada, en 1696—1702.

Relation du Voyage des Premiers Ursulines a la Nouvelle Orleans. 1727.

Epistola R. P. Druillettes Societatis Jesus Presbyteri, ad Dominum Joannem Wintrop, Scutarium.

Recueil de Pieces sur La Negociation entre la Nouvelle France, et la Nouvelle Angleterre, en annees 1648 et suivantes.

The Commodities of the Jeand called Manati, or Long Isle, which is in the Continent of Virginia. Privately Printed.

A Colored man's Reminiscences of James Madison, by Paul Jennings. Privately Printed. (In all 28 distinct works.)

From Col. R. S. Swords—Map of Marietta and Vicinity in Ohio and Virginia. 1854.

Higginson's Map of Europe, comprising Sardinia, Switzerland and Italy, 1859.

Map of the City of New York and Island of Manhattan. 1811.

Mitchell's U. S. Traveler's Guide. 1838. Stranger's Guide to Philadelphia. 1810. Shaw's U. S. Directory for Travelers and Merchants. 1822. Spofford's Packet Guide along the Line of the U. S. Canals, &c. 1824.

Narratives of Two Families exposed to the Great Plague of London, 1665. By John Scott. 1832.

Some Remarkable Passages in the Life of Col. Gardner. By Doddridge. 1795.

Wainwright's Sermon on the Death of Bishop Hobart. Sept. 19th. 1830.

Pittsburgh, Ft. Wayne and Chicago R. R. Co., 1865. Report. Chicago and Rock Island R. R. Co., 1866. Report. Columbia College Catalogue. 1866-7.

Legislative Documents, New Jersey. 1866.

Specimens of Confederate Paper Money and Postage Stamps.

N. J. Agricultural Society. Report for 1866. List of Premiums. 1857.

N. J. Magazine or Northern Monthly for 1867.

From Dr. I. P. Trimble—New Jersey Legislative Documents. 1866.

From Joel Munsell—Transactions of Albany Institute. 1867.

Analysis of Principal Mineral Fountains at Saratoga. By R. L. Allen, M. D.

A Record of Yale, Class of 1854. Personal Statistics for thirteen years.

Howard Townsend, M. D. In Memoriam. Died Jan. 15th, 1867.

Manual of the Board of Public Instruction of Albany.

From Hon. John Clement—Proceedings, Constitution, By-Laws, &c., of the Surveyors Association of West New Jersey.

From C. J. Williams, Jr.—The English Pilot. Fourth Book. List of Subscribers to the Tontine Coffee House. Extrait du registre des actes de la Chancellerie du Consulat de la Republique Francaise at New York. Wm. Thomas' Miscellaneous Books and Papers. 1810.

From J. R. Burnett—48th Annual Report N. J. Deaf and Dumb Institute. 1866.

From S. G. Drake—Genealogy of Drake, of Hampton, N. H.

From David Ripley—Genealogy of a part of the Ripley Family. By H. W. Ripley.

From William Duane—History and Antiquities of Northampton, England. By John Cole.

From Charles H. Hart, of Philadelphia—The Life, adventures and unparalleled sufferings of Andrew Oehler, containing an account of his travels through France, Italy, the East and West Indies, his imprisonment in France, &c., written by himself. Published at Trenton. 1811. Printed by L. Deane, New Brunswick, and the copy-right taken out by himself. pp. 226. 12 mo.

Original subscription Paper for procuring the Portrait of Richard Stockton, for the Supreme Court Room. Signed by most of the leading members of the Bar in 1828.

The additions to the collections of the Society since its last meeting, number one hundred and seventy-nine, (179), during the year two hundred and fifty-nine, (259,) and the number of volumes constituting the Library, bound or ready for binding, is (5002) five thousand and two.

Members Elected

JANUARY 16, 1868.

FOR RESIDENT MEMBERS.

Frederick G. Agens, *Newark.*

Albert Baldwin, *Newark.*

Samuel F. Bigelow, *Newark.*

John O. Bolles, *Newark.*

David D. Buchanan, *Elizabeth.*

Isaac S. Buckelew, *Jamesburg*.
William H. Blything, *Newark*.
Alexander Campbell, *Newark*.
Caleb G. Crane, *Newark*.
George W. N. Custis, *Camden*.
David A. Depue, *Newark*.
William M. Force, *Newark*,
John Y. Foster, *Newark*.
R. Watson Gilder, *Newark*.
George A. Halsey, *Newark*.
Joseph S. Halsey, *Newark*.
Caleb W. Harrison, *Newark*.
Albert M. Holbrook, *Newark*.
Roswell W. Holmes, *Newark*.
Charles H. Ingalls, *Newark*.
Alexander H. Johnson, *Newark*.
Charles C. Lathrop, *Delanco*.
John C. Littell, *Newark*.
William B. Mott, *Newark*.
Samuel H. Pennington, Jr., *Newark*.
John M. Pruden, *Elizabeth*.
Timothy P. Ranney, *Newark*.
William A. Righter, *Newark*.
Thos. W. Satterthwaite, *North Belleville*.
Alfred F. Sears, *Newark*.
John Gilmary Shea, *Elizabeth*.
Jacob R. Shotwell, *Rahway*.
Morgan L. Smith, *Newark*.
Sergeant F. Stearns, *Newark*.
Samuel H. Terry, *Belleville*.
David H. Tichenor, *Newark*.
Cornelius Van Vorst, *Jersey City*.

FOR CORRESPONDING MEMBER.

Huntington W. Jackson, *Chicago*.

NEWARK, May 22, 1868.

The Society met at their rooms this day, in accordance with the By-Laws, the first Vice President, HON. RICHARD S. FIELD, presiding, John Rutherford, Esq., the third Vice President being also present.

The Minutes of the last meeting were read by the Recording Secretary and approved.

The Corresponding Secretary submitted the correspondence since January, laying before the Society, letters from the New England Historic, Genealogical Society, the Essex, (Mass.) Institute; American Numismatic Society, and the Historical Societies of Maine and Massachusetts, acknowledging the receipt of the Society's publications; from the Department of the Interior, Mr. H. Phillips, Jr., of Philadelphia; Mr. Stuart T. Terry, of Southhold, Long Island; Rev. John Hall, D. D., of Trenton, transmitting donations to the library: from Rev. E. W. Appleton, resigning membership in consequence of removal from the State; from Mr. Huntington W. Jackson, of Chicago, acknowledging his election as a Corresponding Member; from Messrs. S. H. Pennington, Jr., R. W. Holmes, C. G. Crane, F. G. Agens, Wm. H. Blything, A. Campbell, C. W. Harrison, Samuel F. Bigelow, T. P. Ranney, Wm. B. Mott, R. W. Gilder, S. P. Stearns, A. F. Sears, George A. Halsey, Joseph S. Halsey and A. M. Holbrook, of Newark; Mr. G. W. N. Curtis, of Camden; Mr. J. R. Shotwell of Rahway; Mr. I. S. Buckelew of Jamesburg; Mr. D. D. Buchanan of Elizabeth and Messrs. Samuel H. Terry and Thomas W. Satterthwaite of Belleville, acknowledging their election as Resident Members; from Mr. George H. Moore, Librarian New York Historical Society, answering some enquiries relative to the De Fleury Medal found in Princeton some years since; from Mr. Philemon Dickerson of Trenton, transmitting an original letter of much interest from Gen. Washington to Dr. Franklin; from Mr. I. S. Buckelew, enclosing copies of the inscriptions on the head stones of John Reid, Col. John Anderson and their wives, yet standing in the grave yard of Topanemus, near Freehold; from Rev. Dr. Abeel of Newark, an original letter from Major General Greene to Col. James Abeel, dated Pompton, Jan. 9, 1779, and other communications relating to the operations of the Society.

The Librarian presented his report of Books and Pamphlets, several hundred in number, received since the last meeting.

The Treasurer reported the balance of Cash in the Treasury as amounting to \$581 65, of which \$293 23 belonged to the Library Fund; and that the invested funds irrespective of the Real Estate and Publications of the Society for sale amounted to \$1,120 00.

DR. S. H. PENNINGTON submitted the following report of the Executive Committee :

"Nothing has occurred within the scope of the ordinary duties of the Executive Committee, since the last meeting of the Society, requiring their special attention, or calling for a report at this time.

"The lamented decease of the venerable and honored President of the Society, Hon. James Parker, who peacefully closed a long and useful life of ninety-two years, at Perth Amboy, on the 1st of April last, seemed to the Committee to call for some official notice by an institution with whose origin and whole history his name had been so intimately associated. In accordance with the precedent, established in the case of his distinguished predecessor, the Committee, therefore, made announcement of his death to the members of the Society, through the public papers, accompanied with the following brief account of his valuable services to the Society and the State :

"Mr. Parker cordially co-operated in the formation of the Society, being among the first to sanction its organization, considering it 'an honorable pride which would lead us to put on record the scattered and neglected evidences of our history.' He was made one of its Vice Presidents and annually re-elected until the death of Judge Hornblower, whom he succeeded as President, and ever manifested a deep interest in its prosperity, as a society calculated to perpetuate whatever of the past or present might redound to the honor of the State.

"But not only as a member of this Society is his name deserving of a place in the memory of his associates. As Jerseymen, they cannot but reflect with satisfaction upon the fact that his career throughout its whole course, has been singularly identified with the progress of the State he so highly prized, having been born in 1776, shortly before the adoption of the first Constitution, and been intimately connected, the greater part of his life, with its affairs: his sterling qualities and great abilities having been always devoted to fostering and advancing its best interests.

"As a member of the Legislature—as a representative of the State in Congress—as an able and efficient co-operator in many public institutions and public enterprises, he always exhibited the highest fidelity to the trusts reposed in him, uniting with great personal integrity, and a

thorough appreciation of the responsibilities of the citizen, and performing all his duties as such with an eye single to the good of the State and the welfare of his fellow-men. Such men are rare and such examples merit our earnest consideration."

The Committee recommend the adoption of the following resolutions :

1st. That the foregoing report be entered on the minutes as the expression of the members of this Society of their high estimate of the public character and services of their late venerated President, Hon. James Parker, deceased ; and that, in connection therewith, they would record their sense of his exalted personal worth, the affectionate esteem they have always entertained for him as a gentleman and a friend, and the reverential regard with which they desire ever to cherish the memory of his private virtues and his public example.

2d. That his honor, Judge Field, be respectfully requested to prepare a memoir of our lately deceased President, to be read at a future meeting of the Society, published with its proceedings and preserved in its archives.

On motion of Col. ROBERT S. SWORDS, seconded by the Hon. WM. B. KINNEY, the Report was accepted and the resolutions unanimously adopted.

Mr. WHITEHEAD, from the the Committee on the Library, presented the following report :

"The Committee on the Library referring to the report of the Librarian for a statement of the additions made to the Library since the last meeting, would state that through the attention of the Treasurer, the rooms of the Society have been open to visitors for several hours almost every day during the winter, when he, or the Librarian has been personally present, the Library Fund not yet warranting employment of a permanent assistant. The amount at present available from subscriptions to that fund, chargeable as it with the rent of the rooms, and other incidental expenses, is inadequate to meet further calls, yet the members must recognize the propriety of having the Library always in a condition of usefulness, and the Committee consequently feel justified in urging, again, greater liberality towards the fund. It is not just that a few members should bear the expense of what is for the good of all—nor is it creditable that the historical and literary treasures which have been secured with the view to the more perfect illustration of our history should be kept in an inaccessible depository. The subscriptions at present expire as follows : \$50 in 1869, \$335 in 1870, and \$175 in 1873 ; and it is desirable that further subscriptions for five years should be at

once secured, in order that the Committee may be enabled to prosecute their plans for increasing the facilities for research. Among other purposes in view is the binding of the large and interesting collection of newspapers, the accumulation of several years; and preliminary steps have already been taken towards the arrangement of the New Jersey papers, which during the late war were preserved as being the only depositories of innumerable local items, that in years to come will possess peculiar interest. The whole collection will be bound up as rapidly as the condition of the fund will allow.

It was announced to the Society at its last meeting that Mr. John Rutherford, one of the Vice Presidents, had deposited in the Library a number of volumes containing in manuscript the Journals of the British House of Commons, during the last three years of the reign of Charles I, and the first year of the Commonwealth; and it has been deemed advisable by the Committee to submit a more particular statement respecting these interesting volumes, with a brief notice of their probable history.

In the New York *Gazette* of February 24th, 1752, may be seen an advertisement by one SIDNEY BREESE, to this effect:

"Lately imported from London, 72 volumes in folio, all manuscript, neatly bound, gilt and lettered, being the Minutes of the House of Commons for about 40 years, from which many Presidents may be quoted, very useful to this or any other Province; they were part of the Duke of Chandois' Library."

Of these seventy-two volumes, *twelve* are in our Library, *sixteen* are in the possession of the New York Historical Society, and *nine* are in the library of the Quebec Literary and Historical Society. Of the other thirty-five volumes nothing is known. Those in Quebec were received at different times from William Smith, a Son of the Provincial historian of New York, and at one time its Chief Justice; those in New York were derived principally from Governor William Livingston, and those we have are from the Library of James Alexander.

Mr. George H. Moore, the Librarian of the New York Historical Society, in a letter to our Corresponding Secretary, ventures to suggest that the *whole* set was secured by James Alexander, at or about the time of its importation, and that through him, the other two gentlemen named above may have become possessed of portions of it, as the three were intimately associated—constituting, as they are justly styled by Mr. Moore, an "illustrious triumvirate." There is nothing in the circumstances of the

times rendering this conjecture improbable, but it would seem more likely, if all the volumes were originally in the possession of one of the three, that it should have been Livingston, for in 1752 he was Editor of "The Independent Reflector," in New York, and may have thought that the Minutes would be of service to him in his editorial labors.

But there is room for another supposition which the Committee think worthy of consideration, namely, that the set was not sold intact, but disposed of in such lots as parties chose to purchase, each purchaser taking his volumes in succession, and that a larger number of gentlemen may have been interested than the three who have been named.

This supposition is confirmed by what is said in a critical notice of the volumes in the possession of the New York Society, by James Bowdoin, written in 1829, and published in the Massachusetts Historical Society Collections, Vol. II, 3d Series. Mr. Bowdoin says that Mr. Pintard, who in 1810 was Librarian or Secretary of the New York Society, received a part of them from the Hon. Elias Boudinot of New Jersey, and a part from Governor John Jay, who received them from Governor Livingston; that subsequently Mr. Pintard purchased some at auction and others were obtained through another source. The fact, too, that there are missing volumes in each of the discovered portions of the set is also confirmatory of the correctness of this supposition. Excepting these breaks each extends over a connected period of time; thus the nine volumes in the possession of the Quebec Society allude to dates between August 6th, 1642, and December 9th, 1646; those in our possession are of dates as follows:

- I. April 13, 1647 to May 27, 1647.
- II. May 28, 1647 to July, 1647.
(July to November wanting.)
- III. November 13, 1647 to December 27, 1647.
(Dec. 28, 1647, to Jan. 31, 1648, wanting.)
- IV. February 1, 1648 to March 21, 1648.
- V. March 25, 1648, to May 18, 1648.
- VI. May 19, 1648, to July 1, 1648.
- VII. July 3, 1648, to August 16, 1648.
- VIII. August 17, 1648, to September 23, 1648.
- IX. September 25, 1648, to November 22, 1648.
- X. November 23, 1648, to February 8, 1649.
(February 9, to May 23 wanting.)
- XI. May 24, 1649, to July 14, 1649.
(July 15, to October 8, 1649, wanting.)
- XII. October 9, 1649, to January 19, 1649-50.

and those in New York cover the period from March 25, 1650, to July 30, 1661, and an odd volume extends from February 15, 1677, to January 15, 1677-8. It has not been thought necessary to extend the examination so far as to discover what portion, or how many, of the breaks in our series may be due to adjournments or prorogations.

Prior to the discovery by Mr. Moore of the advertisement in the New York *Gazette*, there were many conjectures current as to the time and manner of the arrival of these volumes in America. Some were disposed to regard them as having travelled hither with the Regicides who sought a refuge on this side of the Atlantic, although not such volumes as would now be classed with the light literature selected ordinarily to relieve the *ennui* of a sea voyage, and those in Quebec actually bear on them an inscription, written, it is said, by Chief Justice Smith, to the effect that they belonged "to the Regicide Goffe, who fled to America on the Restoration." Another conjecture hazarded was, that all the volumes were in the possession of Lord Cornbury's widow, who, needing money, sold them to the lawyers of New York. It is scarcely necessary to say that there is nothing to warrant either of these conjectures. The importation at the time stated, 1752, was probably a speculation on the part of "Mr. Sydney Breese," who finding his *elephant* hard to dispose of as a whole, was glad to deposit fragments of it in the hands of any purchaser.

There can be no question of their authenticity. They are veritable contemporaneous copies of the Commons Journals. Of this the water marks in the paper afford abundant evidence. Mr. Bowdoin, in his elaborate paper, gives an account of the marks found in the original minutes which are preserved in England, corresponding with the marks found in these volumes. The marks themselves are of interest, as they record the change from the royal arms to the fool's cap and bells, which gave to "fool's cap" paper so called, its name; for it is said that this designation originated in the suppression by Parliament, under Cromwell, of the royal arms used as marks by those enjoying the monopoly of paper making, and the substitution, by order, of a head decorated with bells. These, however, gave place to the arms again on the restoration of royalty, and even before that event were superseded by other marks.

As the Journals of the House of Commons have all been printed, these volumes have not the value they would otherwise possess. Still, in the absence of a printed copy, they offer to the student of a most eventful period of English history interesting glimpses of what transpired "behind the scenes," as it were, and an opportunity of tracing

particular events back to their respective starting points in the resolves of Parliament. That portion of the set which we have possesses particular interest, covering as it does the period made so prominent by the trial and execution of Charles I, furnishing in the details of business before the Commons many items, curious and important, not alluded to in current histories of the time.

As may be seen by the members, these volumes, considering their great age, are in fair condition, and sufficient of the gilt ornamentation remains to render it probable, as stated in the advertisement of 1752, that they originally belonged to an Earl's library, an earl's coronet and a crest (an eagle with wings extended,) being discernible on the back of each."

MR. HAYES from the Committee on Nominations, reported favorably upon a number of names referred to them of candidates for Resident Membership, who were duly elected by ballot, and several new nominations were received and referred.

COL. SWORDS offered a resolution that the Society should proceed to the election of a President, to fill the vacancy occasioned by the death of the Hon. James Parker, but after some discussion, in which Messrs. Whitehead, Hayes, Swords, Rev. Dr. Abeel and the Chairman participated, it was withdrawn—it being considered advisable to postpone filling the vacancy until the annual meeting.

On motion of Mr. JOHN P. JACKSON, the Society then took a recess, to allow the members and strangers present to examine the collections of the Society, and to partake of the collation prepared in one of the rooms.

On re-assembling at half-past 2 P. M., MR. WHITEHEAD called up the amendment to the 4th Article of the Constitution, of which he had given notice at the last meeting, and it was adopted as follows:

IV. The officers of the Society shall be a President, first, second and third Vice Presidents, a Corresponding Secretary, Recording Secretary, Treasurer, and Librarian; and there shall be an Executive Committee consisting of the officers *ex-officio*, and nine members to be annually elected.

COL. SWORDS offered a resolution providing for a meeting in September, which after some modification was adopted as follows:

Resolved, That the Executive Committee be requested to take into consideration the propriety of holding a meeting of the Society in September, and that should they think it advisable they be authorized to appoint the place and day therefor.

Col. Swords also presented in behalf of Mr. PHINEAS JONES of Newark, a singular natural bottle, formed of conglomerate rock, which had been found by a soldier during the war at Georgetown, D. C., and from Dr. WM. A. CONOVER, a lithographic copy of the Virginia Ordinance of Secession with the signatures in *fac simile*, and a copy of the "Richmond Sentinel," issued April 3d, 1862; and from MRS. SWORDS a large number of the General orders of General Washington, while Commander in Chief of the Expedition for the suppression of the Whiskey Insurrection in Pennsylvania in 1794.

Professor JAMES C. MOFFAT, D. D., of Princeton, then read to the Society a highly interesting and suggestive paper "On the planting of the Churches in America," that was listened to with marked attention, and for which the thanks of the Society were cordially returned.

The Society then adjourned.

Resident Members.

ELECTED MAY 21ST, 1868.

John Hart Brewer, *Trenton*.
 Amos Clark, Jr., *Elizabeth*.
 Wm. H. Conover, M. D., *Newark*.
 Alexander N. Dougherty, M. D., *Newark*.
 Francis H. Gould, *Newark*.
 Silas C. Halsey, *Newark*,
 J. Harvey Halsey, *Newark*.
 Whitfield S. Johnson, *Trenton*.
 Phineas Jones, *Newark*.
 John H. Kase, *Newark*.
 Wm. H. McClave, *Newark*.
 Edmund W. McClave, *Newark*.
 Thomas N. McCarter, *Newark*.
 Nathan Moore, *Bass River, Burlington Co.*
 James H. Nixon, *Millville, Cumberland Co.*
 Samuel Duncan Oliphant, *Princeton*.
 James D. Orton, *Newark*.
 J. E. Peyton, *Haddonfield*.
 Patrick T. Quinn, *Newark*.

Selections from Correspondence and Papers,

LAI'D BEFORE THE SOCIETY MAY 21, 1868.

FROM GEO. H. MOORE, ESQ., OF N. Y. HISTORICAL SOCIETY.

LIBRARY, NEW YORK, Jan. 21, 1868.

WILLIAM A. WHITEHEAD, Esq.,

MY DEAR SIR:— * * * * * As to the Fleury Medal,* it is certainly not in this collection, and I have no recollection of its ever having been exhibited here, by anybody. I know Dr. Torrey very well, and shall at once make inquiry respecting it. We shall be very glad to have it, of course.

I have received your last number of Proceedings, and am bound in all candor to say that I think you were a little "out of the record" in your assignment of *error*—for your letter admits all I said to be true †. If you will re-examine my communication to the Historical Magazine, you will find that I stated certain facts about which there can be no doubt.

They "show conclusively" that Philip Carteret, about 1667 and 1682, and Philip Carteret's widow in 1684 did understand the lands referred to on Staten Island to be within the cognizance and jurisdiction of New York—to whose authorities they looked for title then.

I expressed no opinion concerning the respective *rights*, legal, equitable or moral, absolute or relative of New York and New Jersey, either to the soil or jurisdiction of Staten Island. I am no believer in opinions. Facts are the materials of history. Opinions are at best nothing but evidence of individual judgment, or want of it, concerning historical questions.

Very truly yours,

GEO. H. MOORE.

P. S.—Jan. 29, 1868. I have retained this letter until I should hear from Dr. Torrey, to whom I wrote the same day. His reply has come to hand to-day, and I enclose a copy, which I have no doubt will be satisfactory. You are doubtless aware that there are other copies extant of the Fleury Medal.

G. H. M.

* See pages 49 and 51. The medal found at Princeton, N. J., was thought to have been deposited by Dr. Torrey in the collection of the New York Historical Society.

† See pages 23 and 34.

PROF. JOHN TORREY TO GEO. H. MOORE.

NEW YORK, Jan. 21st, 1868.

MY DEAR SIR:—On my return from Washington this evening, I received your letter of to-day, making inquiry respecting a silver medal found some years ago at Princeton, N. J. It was discovered in a garden in that town, by a boy, who supposed it to be a counterfeit dollar, and took it to the Princeton Bank, having seen there, on the counter, some curious coins, and expecting to get some trifle for his prize. Mr. H. Smith, who was at the time cashier of the bank, saw that it was silver, but did not know its interesting history until Col. Wm. Alexander examined it. He gave the boy a silver dollar for the piece, and kept it for a year or more, showing it to persons who dropped in on business. Afterwards he made a present of it to me, and I gave it to my friend, Mr. Robert L. Stuart, who has it now in his valuable cabinet.

I showed it to the Cincinnati Society, and there can be little doubt that it is the original medal struck by order of Congress for Col. de Fleury.

It is supposed to have been lost by the person who had it in charge at the time that Congress met for a short time in Princeton. I never, until I received your letter, heard that it was to be shown to the Historical Society. It was voluntarily offered to me by Mr. Smith, who purchased it of the boy. This, I believe, is the whole story respecting the Fleury Medal. It never reached its destination, and, at this late day, I suppose it would be difficult to find the proper heir among the descendants of the gallant Colonel. * * * *

I remain yours, truly,

JOHN TORREY.

GEO. H. MOORE, Esq.

You are aware, perhaps, that a notice of this medal, and a wood cut of it, are given in one of Lossing's volumes, prepared while the piece was in the hands of Mr. Smith.

* * The following is a description of the medal:

A figure of Victory, standing on a rampart, with a drawn sword in one hand, and a flag-staff in the other, with the colors under one foot, bearing the following legend and inscription;

VIRTUTIS ET AUDACIAE MONUM ET PRAEMIUM.

—
D. DE FLEURY, EQUITIGALIO.

PRIMO SUPER MUROS.

RESP. AMERIC. D. D.

On the reverse is a picture of Stony Point, with ships in front, with

the following legend and inscription :

AGGEKES PALUDES HOSTES VICTI.

STONY PT EXPUGN.

XV. JUL. MDCCLXXIX.

INSCRIPTIONS

ON TOMB STONES IN "TOPANEMUS" GRAVE YARD,

(Near Freehold, N. J.)

Received from J. S. Buckelew, Esq.

" Here lies the body of Iohn
Reid who came from
Scotland his native Country
with his Wife Margaret, and
three daughters to New Jersey,
the 19th of Dec. Anno Dom. 1683.
He died 16th of Nov. Anno Dom.
1723. Aged 67 Years."

Here lies inter'd dy body
of Margaret, the wife
of Iohn Reid
Who died the first of
May, Anno Do. 1728.
Aged 84 years.
She was pious, prudent
and charitable.

Under
Here lyes the body of
Coll. John Anderson,
Once President of his Majesty's
Council for the Province of
New Jersey. Who departed this
life March 28th, Anno Do. 1736.
Aged 71 years.
His Country's true friend
obliging to neighbors,
Gave no man offence
paid each for their labors,
Was easie at home, or
abroad dare appear,
Gave each man his dues
and no man did fear,
The same in all stations
From flattery far.

Here lies inter'd dy body
of Anna, the wife of
Coll. John Anderson, and
daughter of Iohn Reid,
who departed this life
the 6th of July
Anno Dom. 1723.
Aged 43 years.

LETTER FEOM QUARTER MASTER GENERAL NATHANIEL
GREENE, TO COL. JAMES ABEEL.

RECEIVED FROM REV. GUSTAVUS ABEEL, D. D.

POMPTON, June 4th, 1779, 6 o'clock, P. M.

DEAR SIR:—It is just as I apprehended, the Troops here are entirely
without provisions and are to march early in the morning.

I am to request therefore that you exert your whole influence to forward us as large a supply as possible. Call upon the Magistrates to exert themselves on this occasion. There never has been an object of equal importance contested since the beginning of the War as the Garrison at West Point. On that alone depends the communication between the Eastern & Western States. It will be impossible for us to give succour to that place without provisions. I hope therefore when the Magistrates consider how important the object is and on whom the blame will fall that no stone will be left unturned to give us the necessary supplies of provision. Morris County stands high in the list of fame I hope their reputation will not suffer for want of due exertion upon this occasion. As the army is marching constantly from the Magazines there will be a daily increase of provisions necessary. Great events depend often on little circumstances don't let industry be wanting on this occasion.

I am sir

Your humble ser't

NATH. GREENE, Q. M. G.

The army marches by Ring Wood.

ADDRESS.

"On public service,"

"COL. JAMES ABALÉ, D. Q. M. G., Morristown."

"Express."

FROM PHIL. DICKINSON, ESQ.

TRENTON, May 12th, 1868.

WM. A. WHITEHEAD, ESQ.,

DEAR SIR:—I transmit herewith an original letter from Gen. Washington to Dr. Franklin, which, I think, you will find interesting. It was obtained recently from a near relative of mine, residing outside of Philadelphia, whose father was much in the family of Dr. Franklin while the latter was in Paris.

Gen. Washington seems to have wielded the pen with the same skill as the sword. The letter appears to me a perfect model in language, expression, and flow of ideas suited to the subject.

I am desirous of presenting it to the Historical Society of New Jersey, for preservation among its archives.

I am, Very truly yours,

PHIL. DICKINSON.

Letter from Gen. Washington to Dr. B. Franklin, received from Mr. Mr. Dickinson.

BERGEN COUNTY, in the }
State of New Jersey, Oct. 9th, }
1780.

DEAR SIR:—I was very much obliged by the letter which you did me the honor to write me by our amiable young friend the Marquis De La-Fayette, whose exertions to serve this Country in his own are additional proofs of his zealous attachment to our cause, and has endeared him to us still more.

He came out flushed with expectations of a decisive campaign and fired with hopes of acquiring fresh laurels, but in both he has been disappointed; for we have been condemned to an inactivity as inconsistent with the situation of affairs as with the ardor of his temper.

I am sensible of all I owe you my Dear Sir for your sentiments of me, and while I am happy in your esteem, I cannot but wish for occasions of giving you marks of mine.

The idea of making a tour together, which you suggest after the war, would be one of the strongest motives I could have to postpone my plan of retirement and make a visit to Europe, if my domestic habits which seem to acquire strength from restraint did not tell me, I shall find it impossible to resist them longer than my duty to the public calls for the sacrifice of my inclinations.

I doubt not you are so fully informed by Congress of our political and military state that it would be superfluous to trouble you with anything relative to either—If I were to speak on topics of the kind it would be to show that our present situation makes one of two things essential to us—a Peace—or the most vigorous aid of our allies particularly in the article of money.—Of their disposition to serve us we cannot doubt; their generosity will do anything their means will permit.

With my best wishes for the preservation of your useful life and for every happiness that can attend you which a sincere attachment can dictate,

I am—My Dear Sir—

Yr. Most Obed't H'ble Serv.

G^o. WASHINGTON.

His Excell'y

DOC. B. FRANKLIN.

Donations

ANNOUNCED MAY 21, 1868.

From the Wisconsin Historical Society—The influence of History on Individual and National Action. Annual Address before the Society, Jan. 30, 1868. By Paul A. Chadbourne, M. D. Proceedings of the meeting Dec. 21, 1867.

From the Iowa Historical Society—Annals of Iowa, Jan. and April, 1868.

From the American Antiquarian Society—Proceedings of the Society at the Annual Meeting, Oct. 21, 1867.

From the Essex Institute—Historical Collections of the Institute, Vol. 8, No. 4, Dec. 1866.

From the New England Historic Genealogical Society—Addresses of Hon. N. P. Wilder, President of the Society, and Proceedings of Meetings Jan. 1 and 16, 1868, also the Hist. and Gen. Register for April, 1868.

From the Minnesota Historical Society—Annual Report read Jan. 20, 1868.

From the Chicago Historical Society—13th Annual Report of Chicago Board of Education.

From the Department of the Interior—Documents Second Session 39th Congress, 32 vols.

From the Department of State—Diplomatic Correspondence, 3 vols. Statutes at Large. 1st session 40th Congress, 1867.

From Gov. M. L. Ward—New Jersey in the Rebellion. By John Y. Foster.

From U. S. Department of Education—American Ethnology. A Paper on a General Society for the Study of American Antiquities.

From Hon. F. T. Frelinghuysen—Report of Coast Survey, 1865. Report of Department of Agriculture, 1866, and Congressional Globe, 3 vols.

From the Authors—Discours de L. Hon. Louis Joseph Papineau a l'occasion du 23 eme Anniversaire de la Fondation de L'Institut Canadien, le 17, Dec. 1867.

The Financial Economy of the United States illustrated, and some of the Causes which retard the Progress of California Demonstrated, with a Relevant Appendix. By John Alexander Ferris, A. M. 1867.

"The State of the Union."—A Sermon delivered at Stewartville, New Jersey, May 19th, 1861, by Rev. Geo. C. Bush.

Baccalaureate Address—Class of 1867 and Inaugural Address, at the 14th Annual Meeting of the State Teachers' Association, Indiana, Dec. 25th, 1867; and the Early History of Presbyterianism in Morris County, N. J. By Rev. Joseph F. Tuttle, D. D., President Wabash College.

Historical Address, to the Graduating Class of 1868, in the Medical Department of the University of Nashville. By W. K. Bowling, M. D.
From Thos. P. Mervin—Shells imbedded in stone, found in Broome Co., N. Y., 700 feet above the Susquehanna River.

From J. Carson Brevoort—Report of a French Protestant Refugee, in Boston, 1687. Translated from the French by E. T. Fisher. Edition 125 copies. No. 77.

From Albert H. Hoyt—Notices of Benjamin Thomas Hoyt, A. M., Prof. of Belles-lettres and History in Indiana Asbury University, obit May 24, 1867.

Abstract of an Address by Edward Crane, Esq., on the subject of Transportation, at the Green Room, State House, Boston, Feb. 13th, 14th and 18th, 1868.

From Abel S. Hetfield—An Historical Journal of the Campaigns in North America, for the years 1757, 1758, 1759, and 1769. By Capt. John Knox. London, 1769. 2 vols., 4to.

From Geo. B. Halsted Esq.—Eumenes; being a Collection of Papers on the Errors and Omissions of the Constitution of New Jersey, as established July 2, 1776. Printed at Trenton, 1799.

A History of the Life and Death of Gen. George Washington. By Rev. M. L. Wcems. 3d edition.

Address by John M. Scott, Esq., Sept. 27, 1836, before the Whig and Clisophic Societies of the College of N. J.

The Nassau Rake, edited and published by the Sophomore Class of the College of N. J.

Catalogue of the Clisophic Society. 1765-1857.

Memorial of the Rev. John McDowell, D. D. By Rev. M. C. Sutphen, with Addresses delivered at the Funeral, Feb. 18, 1863.

An Eulogy on the Hon. Wm. H. Woodward, of Dartmouth University, By Cyrus Perkins, M. D. 1868.

Celebration of the Forty-Fifth Anniversary of the First Settlement of Cincinnati and the Miami Country, on 26th Dec., 1833, by Natives of Ohio.

Ohio Boys in Dixie: the Adventures of Twenty-Two Scouts sent by Gen. O. M. Mitchell, to destroy a Rail Road.

- An Oration delivered at Orange, N. J., July 4, 1865. By Prof. Henry W. Adams, M. A., M. D.
- Address before the Essex County Agricultural Society, at their Annual Fair, in Orange, Oct. 1824. By Caleb S. Riggs, Esq.
- Report of the Commissioners appointed for the purpose of exploring the Route of a Canal to unite the Delaware, near Easton, with the Passaic, near Newark, with accompanying Documents. 1823.
- Report of the Commissioners appointed on the part of New Jersey to settle the question of jurisdiction, &c., in dispute with the State of New York. 1828.
- Papers relative to the questions pending with the United States of America, on the subject of the Falkland Islands, laid before the Legislature of Buenos Ayres, by the government or department in charge of Foreign Relations. 1832.
- Common Sense Address, to the Citizens of the Southern States, on the subject and in favor of the protective system. By a Citizen of Philadelphia. 1829.
- De Witt Clinton's Discourse, Dec. 6th, 1811, before the New York Historical Society at their Anniversary Meeting.
- A Narrative of the Case and Trial of John Peter Zenger, printer of the New York Weekly Journal, prosecuted by Information, Dated Jan. 28, Anno Domini, 1734-5. A manuscript copy by James Ewing, A. D. 1768.
- Solemn reasons for declining to Adopt the Baptist Theory and Practice. By Noah Worcester, A. M., Pastor of a Church in Thorntown. 1809.
- New York, its Streets, Roads, Public Buildings, &c., in 1807. By John Low.
- From William Duane*—Biographical Memoir of William J. Duane.
- From J. S. Buckelew*—Address on the Life, Character, and Services of Commodore Stockton. By Hon. Joel Parker. From Stuart T. Terry. Speeches and Proceedings at a Family Meeting of the Descendants of John Tuthill, one of the Original Settlers of the Town of Southold, N. Y., held at New Suffolk, L. I., Aug. 28, 1867.
- From Wm. Whitehead, of Philadelphia*—An old Welsh Bible; quarto.
- From W. A. Whitehead*—The New York Whig, newspaper, bound, 1832, '32, '33; and Newark Monitor.
- From Rev. John Hall, D. D.*—The Trenton Emporium, from June 2, 1821, to May 26, 1827; and Emporium and True American, from June 5, 1832, to Dec. 28, 1833; and from April 21, 1837, to May 22, 1840, 6 vols. newspapers, bound.

From Joseph A. Eno—"A Confession of Faith" owned and Consented to, at Say Brook, Sept. 9, 1708, New London, Printed 1760.

From Charles H. Hart—History and evidence of the Passage of Abraham Lincoln from Harrisburg to Washington. Feb. 22, and 23, 1861.

From Rev. J. F. Tuttle, D. D.—A Historical Discourse delivered Dec. 22, 1867, by H. A. Edson, Pastor 2d Presbyterian Church, Indianapolis, Ind.

From Col. R. S. Swords—The Northern Monthly. 3 months.

From D. A. Hayes, Esq.—Irish State Trials; or the Queen vs. Daniel O'Connell and others. 1844.

The Lives and Opinions of Benj. Franklin Butler, and Jesse Hoyt, with Anecdotes or Biographical Sketches of their Friends and Political Associates. 1845.

Report of the Forrest Divorce Case. 1851.

A Biography of Fernando Wood—his Forgeries, &c.

Arguments in the Case of Adams & Co., by H. M. Naglee, Receiver, vs. Alfred Cohen. 1856.

Trial of the Conspirators for the Assassination of President Lincoln. 1865.

The Controversy between Senator Brooks and John, Archbishop of New York, on the Property Bill.

The Decline of Popery and its Causes—by Rev. M. Murray, D. D. An Address, Jan. 15, 1851.

The Prompter, or a Commentary on Common Sayings and Subjects—Common Sense the Best Sense. 1796.

Narrative of the Conflagration of the Theatre in Richmond, Dec. 26, 21, 1811. Philadelphia. 1812.

A Particular Account of the Battle of Bunker, or Breed's Hill, 17th of June, 1775. By a Citizen of Boston. 1825.

The Correspondence of John Adams, Esq., concerning the British Doctrine of Impressment, &c. 1800.

"Pieces" published in 1823, on the Presidency, from the Richmond Enquirer. By "Roanoke" and "Thomson."

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"William Penn" on the Present Crisis in the Condition of the American Indians. 1829.

The Letters of "Algernon Sidney" in Defence of Civil Liberty and

against the Encroachment of Military Despotism, written by an Eminent Citizen of Virginia in 1818, '19.

An Examination of the Question between the American and British Governments concerning the Right of Search. By an American. Paris. 1812.

Henry Clay's Speech, May 16, 1829, near Lexington.

Mr. Hay's Speech in Support of a Bill to repeal all the Laws concerning Usury, in the Legislature of Virginia. Session of 1816, '17.

Letter of "Decius," addressed to the few remaining Officers and Soldiers of the Revolutionary Army of 1776. Richmond, 1818.

Opinion of the Supreme Court of the U. S., Jan. Term, 1832, in the Case of Samuel A. Worcester vs. the State of Georgia, with a Statement of the Case. Authentic. 1832.

Opinion of the Supreme Court of the U. S. in the Cases of Smith vs. Turner & Norris. Dec. Term, 1848.

Opinion of the Chancellor of N. J. on motion for an Injunction by the Proprietors of the Bridges against the Hoboken Land and Improvement Company.

A Topographical Map of the Road from Missouri to Oregon—in seven Sections.

Inaugural Addresses at the Law School in the University of the City of New York. By Professors B. F. Butler, Wm. Kent, and David Graham, Jun'r. 1838.

Wm. Tracy Gould's Address, March 11, 1835, introductory to Lectures in Law School, Augusta, Ga.

Address upon the Character of the late Hon. Isaac H. Williamson, before the Bar of New Jersey, Sept. 3, 1844. By Oliver S. Halsted, Esq.

Remarks of the Hon. R. F. Stockton, of N. J., on the Death of Daniel Webster, Dec. 14, 1852; and on the Bill to increase the Efficiency of the Army and Navy by a Retired List for Disabled Soldiers, Jan. 5, 1853, in Senate.

Remarks of R. F. Stockton upon the Presentation of the Resolutions of the Legislature of N. J. upon the Compromise Measures. Feb. 12, 1852, in Senate.

Professor Hitchcock's Prize Essay on Alcoholic and Narcotic Substances. 1830.

Congressional Globe, 1st Session 30th Congress, and 2d Session 29th. Unconstitutionality of the Laws of Congress, prohibiting Private Mails, and a large number of Speeches in the Senate and House of Representatives of U. S. on various subjects.

NOTES ON THE STATE OF NEW JERSEY.

WRITTEN AUGUST, 1776, BY JOHN RUTHERFURD,

United States Senator from New Jersey, from 1791 to 1796.

1664. New Netherlands, comprehending New-York, New Jersey, and Pensilvania, was conquered from the Dutch.

The same year the whole was granted to the Duke of York, who soon after granted the Country lying between Hudson and Delaware River to Lord Berkley and Sir George Carteret, who called it New Jersey from Carteret's native Island.

These Proprietors divided it into East and West Jersey, by a Line from little Egg harbor to the North boundary on Delaware in Latitude $41^{\circ} 40'$ the Eastern Division to Carteret, and the Western Division to Berkley. It is hardly necessary to mention that it was conquered by the Dutch in 1673 and restored the year after. About 1680 Berkley sold his Share, which was soon after divided among 200 Proprietors, who have since divided 25,000 Acres of Land to each Propriety, but the whole is not yet taken up, as land can not be found of sufficient Value, the Rights of Location have been sold for 16 Dollars per hundred.

1682. Sir George Carteret's Executors sold his share; and Soil and Government became vested in 24 Proprietors, and there has been divided to each share 26,900 Acres, besides some Townships and Patents in Bergen Essex Middlesex and Monmouth which were granted before their Purchase, on a quit rent of $\frac{1}{2}$ penny ster'g per Acre; these Rights of Location were lately sold at four Dollars per Acre; but a late Dividend has reduced them to $2\frac{1}{2}$ Dolls, as much land is yet unlocated in Monmouth, Sussex, Morris and Bergen, tho' the greater part is of little Value.

1702. The Proprietors and Settlers got into great Disputes and Confusion, when both Divisions surrendered the Right of Government to the Crown, reserving the soil. From this Time forward to 1735, the Governor of New-York also held this Colony. But from that time a separate Governor was appointed for East and West Jersey, restricted to live at Amboy and Burlington where the Legislature and Supreme Courts were necessarily, and alternately held.

The Salary of the King's Governor was gradually raised to 3,200 Dollars, and the Perquisites amounted to about 1000 Dollars. all the other Charges of Government was under 2200 Dollars; so that formerly Paper

Bills of Credit to the amount of £40,000, the dollar at 7s. 6d., lent out on mortgage at 5 pr ct., fully answered all charges. But the war that broke out in 1755, tho' the Colony was not immediately interested, readily complied with the requisitions made by the British Secretary of State, and to supply the great Charges, issued to the amount of £300,000, the whole to be called in by Taxes at about £15,000 yearly, and part of it was refunded by Parliament; the last payment of these emissions was due in 1783, when all Taxes would have ceased. Anno 1775, £100,000 was emitted on loan at 5 pr ct., and tho' no Tender in Law, was preferred to the precious Metals, in all Payments, and the Interest was more than sufficient to answer all the Salaries and Charges of Government. It may now seem incredible that so well was the Opinion of this Paper Emission supported, that it was current at New York at 1d. on a Dollar more than for what it was issued. While the sinking Tax lasted of £15,000 a year, being unusual, it was complained of as a heavy burden, while in effect it was only a spur to Industry:—how different from this present year 1786, when the Requisition by Congress amounts to £78,711 15, or 209,898 Dolls., besides the support of government, which is now much increased from the great addition to the Legislature, their very long and frequent Sessions, and Delegates to Congress.

The Council formerly consisted of twelve, who with the Governour appointed the Judges, Sheriffs, Coroners, and Justices of the Peace. The Governour, Judges and Justices are now chose in a joint meeting of the Council and Assembly, but unfortunately the Sheriffs and Coroners are chose annually by the People, who make a point of electing those who will give them least trouble, no matter how little qualified by Integrity or Fortune. I am well informed that in the County of Morris for the last six years, the Sheriffs or Coroners have not settled for one Action tho' many hundreds have been brought, which reduces Creditors to compound for what they can get.

The Governour is elected annually, but may continue indefinitely. His salary is £550, equal to 1,466½ Spanish Dollars. His perquisites may be about £350 by Marriage Licenses, Letters of Administration, &c. The Chief Justice's salary £350. The other two Judges £300. The Treasurer £150. Attorney General £30. The Delegates to Congress four Dollars per Day while actually present. The thirteen Counties have each one Councillor and three Members of Assembly, at two Dollars per per day, (formerly six shillings.)

The State of New Jersey, bounded by Delaware and Hudson Rivers, and a line settled by Commissioners 1769, from Lattitude 41°, or Hud-

son's River, to the mouth of Machackamac, on Delaware, contains 4,375,970 Acres. As the two Divisions were formerly granted to different Proprietors, the Partition Line as supposed to be settled gave 2,689,680 Acres to West Jersey, and 1,686,290 to East Jersey, yet by a Pretension from the late settlement with New York, West Jersey have set up a claim against East Jersey to 129,580 Acres, which has been argued before the Assembly in two Sessions, and it seems as if West Jersey had not yet relinquished their Claim, however unjustifiable. About one-half of the State may be arable, pasture or Meadow Lands, and the other half may be Wood land, barren Sands, barren brush or rocky Mountains. The last Proportion may seem large, but let it be considered that the Eastern Division appeared to be as much cleared and settled as the Western Division; that the first, besides some Townships and Patents granted, before conveyed to the twenty-four proprietors, have only granted Dividends of 672,000 Acres; of which at least 120,000 Acres have not yet been surveyed on said Dividends; and of that surveyed, a considerable Part, perhaps a sixth, may remain for Timber; it may not appear that too large a Proportion is supposed to remain uncultivated.

These lands are in general laid out in Farms from fifty Acres to four hundred, and of each Farm the arable Land is commonly laid out into four Fields, and the Course of Crops is 1st year Summer Crops of Indian Corn, Oats, Flax, and Buckwheat, 2d year, fallowed, 3d year in Winter Grain, and 4th year in Grass, by this frequent tillage, and from the small stock of cattle having little help by manure, the Lands are very much exhausted, so that in many Places the average of Winter Crops are under six Bushels, and few Places average above eight Bushels, except when manured; besides the Arable each Farm has commonly an Orchard, a piece of natural meadow ground, and a proportion of one-fourth of timber Land for fencing stuff, Buildings, Farming Utensils, and Firewood. Each Farm keeps from 20 to 40 Sheep, from 3 to 10 Cows, besides young Stock, from 3 to 8 Horses, unfortunately few Oxen are used for Draught except in Morris and Essex Counties, which are a great Advantage to them, and deserves to be imitated.

The great decrease of Crops, partly from the Lands being long broke up, and partly from bad Husbandry; the great encrease of Taxes, as £197,500 a 7s 6d Dollar has been laid in one year, 1782; and the natural encrease of Inhabitants, without Manufactures or more Land to cultivate, while the old Lands daily require fewer Hands, and many of the smaller Farmers exercise some Trade. All these Causes contribute to occasion great Emigrations from this State, which not only lose the Hands that might be turned to many useful Improvements and Employments, but

some of them privately dispose of their Effects, run off and defraud their Creditors, while others sell considerable Property, and carry the amount to other States to the southwestward, or to the western wide Wilderness, which is settling too fast, and a century too soon, to the great Loss of the united States. These Emigrants who assisted in contracting the enormous public Debt, leave it behind them, and move to Countries which pay no Taxes, where all Debts are cancelled, no Rents to pay, and that abound in good Lands for the taking up, with a Temperate and healthy Climate, and wild Meat of Venison and Turkies for the killing, Of the last I have heard a Man of good Credit say that he has seen at least 500 in a Day. These seem very tempting Allurements, but when attentively considered are more specious than solid, for as no industrious Man in this or the other States can want for a good living or even to advance themselves, yet by going into the distant Wilderness with all the above Advantages, they contract lazy indolent or savage Habits, have no incitement to industry but the Calls of Hunger, which the Amusements of hunting or fishing can supply. Markets too distant to bear Transportation of any thing they can raise, and as inconvenient to supply them with Clothing or other Necessaries. Salt if carried comes enormously high, but happily they have Springs that may supply this most necessary Article, in short without Law, Gospel or Government, they become wild as the surrounding Savages, with fewer Virtues.

To return to New Jersey; this State is rated by Congress at 1-18th Part of all the States in Union, which seems to be rather disproportionate to their Ability, having no manufactures nor trading towns, and the Profits on their Exports and Supplies of Necessaries all centering in the adjacent States; they have no Duties on foreign Imports to help to bear their Burthen; while last year the Customs at New York amounted in nine months to £83,000, the Dollar a 8s; They have no back Lands to sell as many of the other States have, and their confiscated Property which was considerable, was fooled away and turned to small account. Under these Considerations it seems out of all proportion that New Jersey should pay by Assessment 83, when the rich State of south Carolina pays 96. The Lands that are rented, the Tenants are always bound to pay all Rates and Taxes, which on poor Places is sometimes equal to the Rent, both of which are generally far behind. I lately knew a Justice of Peace at one Time, issue 340 Precepts for back Taxes against one Township, containing 26,000 Acres, and tho' the Constable offers to sell, there is seldom any Bidders, from Fear or want of Cash.

As the Climate, Soil, or our mode of Husbandry is unfavorable to raising the materials of Cloathing, rather than a want of Hands or an

Inclination to manufacture either in Flax or Wool, our European Imports of dry Goods are supposed annually to amount to the Value of 800,000 Dollars. Besides Tea, West India Articles, and Wine to about 153,536 Dollars. To pay for which this State exports, Wheat, Flour, Rye, Corn, Pork, Cattle, a few Horses, Flaxseed, Butter, Poultry, some Staves and headings which we can ill spare, Pig and Bar iron; Potash; Iron to Britain was formerly a considerable Article, as foreign iron paid Duty, which being Subject to, we send more there; but to the reproach of America we import it from the Baltick; and as the Bounty is taken off Potash in Britain, we now send but little. As I have no doubt but that our Imports exceed our Exports, we are certainly running more in Debt, which we also were before the Revolution, tho' our Trade was then on a much better Footing, and our Credit was then very good; but now our Credit with the adjacent States is entirely sunk, which is not to be wondered at considering the Acts the Legislature have lately passed. The insolvent Law, by which many have defrauded their Creditors; The Appraisement Law, authorizing the Sheriff on Executions to appoint two Freeholders to assign Lands or Effects for the Debt; I have known a Creditor offer to take half for the Subject appraised and assigned; And lastly the tender Law by which the Debtor may pay in Paper in lieu of hard money, tho' known already, (and still encreasing) to be much depreciated. These Laws have destroyed all Credit and Confidence both in and without the State, and puts it out of the Power of the Legislature to comply with the Requisitions of Congress, for Paper can be no tender to them, which is now the only Currency among us. Much has been said among us against this impolitic and fraudulent Measure, and great was the Opposition in the Legislature, but private Interest or Ignorance finally prevailed, so that £100,000 was lately ordered to be emitted on Loan, in Addition to £31,500 which in 1783 had been made, to pay the Interest of Debts due by the Public to Inhabitants within the State then ordered to be received in Taxes, but now made a Tender in all Cases. It is true these Emissions are not large for a circulating medium to a State which formerly has had £300,000 in Circulation, but as the Credit of Paper arises from Opinion, and many have so much suffered lately by continental and State Paper, all Persons are equally affraid of it, especially as the adjacent States, where are chiefly endebted, already take it at a Discount from 10 to 20 pr. cent, and there is no Confidence in the Legislature, how much more of it they may issue, and it is also the Interest of those who were most clamorous in making it, to speedily depreciate it, and by this means discharge their Obligations at an easier Rate.

The value of the Lands in this State is in Proportion to its Situation and Quality, near considerable Towns it is from £20 to £50 pr. acre, as the Land is generally better and may have the help of manure ; further back it runs, taking a whole Farm, from £2.10 to £5 pr. Acre, and poor lands at 20s. or 30s. ; when rented in the back Parts, it fetches from a quarter to half a Dollar pr. acre, and generally Farms are leased at 3 or 4 pr. cent of their value, while the legal Interest is 7 pr. cent. It may seem strange to those acquainted with the farming and Rents in Europe that they should be so low here, but it is owing to several causes, 1st. The Lands are not so productive, for tho' the soil looks well, and in some intervale Bottoms is equal to Europe, yet in other Situations, they are much affected with the extremes of great Droughts, violent and long Rains, and great Heats and Colds. 2d. Labour is very high, as Day labour is from one-third to two-thirds of a Dollar a Day, and from Sixty to Eighty Dollars by the year. 3d. An industrious thriving man can always buy a Farm for himself, 4th. many are very unskillful and bad husbandmen, as it may clearly be shewn that a Farm of 200 acres at £4 pr. Acre value, might yield £120 besides maintaining the Family and Stock, yet a Tenant would think it rented high to £30 a year, tho' less than 4 pr. cent of its selling Price. If Landlords therefore in this State could sell their Lands, and otherwise invest the Value in Security, it would be much to their Advantage, but neither of these Circumstances are in their Favour. Already there are few Estates of much land Property ; in general every owner cultivates his own Farm, and when divided in Portions too small to fill up their Time, if industrious they exercise some Trade or Profession.

This State is remarkably Healthy, except on the Banks of some Rivers, or near Ponds, or stagnated Waters, where towards autumn it is subject to Agues and Intermittents ; this healthiness is conspicuous from the rapid encrease of the Inhabitants, who within these Fifty years settled the back Counties from New England, North of Ireland and Germany, and already their Families have have so much encreased that annual Swarms emigrate Southwesterly. As an Instance of its healthiness I might quote the Farm the writer lives on, who was lately accosted by the neighboring Justice. " I do not ask you how your Family does, "for I never heard that any in that House was sick, and nobody have "died there," the Family and Servants are from twelve to fifteen, and the House has been built thirty seven years, but to speak with Precision I must except a negro child of a Week old, and some trifling Disorders, besides Innoculation, which was merely a Frolick. As an Instance of Health and Fecundity I may also quote a high Dutch Family within two

miles of this House. I lately saw the mother, still a very hearty looking woman, then suckling her ninth son ; had never lost one ; she had also eight daughters, had suckled them all : six Children married, and ten Grandchildren ; from the healthiness of her Children, and their marrying so young, she has a Prospect of seeing the largest encrease I ever heard of.

We might expect that Health would be affected by the great and sudden extremes of Heat and Cold, Drought and Rain, but a long Continuance of the last seems most to affect us. I have known the Thermometer alter 40° in a few Days, and 32° in one day ; in Summer, I have often observed it at 96° in the Shade, and in Winter often below 10° and even in the Ball, but these extremes never continue above a Day or two. What seems singular, at least I have not heard it remarked in Britain, we have no Dews during violent heat, and never in cloudy Weather, our heavy Dews are in temperate and clear weather. The great Droughts and Floods greatly affect the Crops, and is growing evil from the Woods and Swamps being more cleared and drained. As in other Countries, in hilly Places we are least Subject to Droughts, and no country is better watered with wholesome Springs and clear Streams. After a tedious Drought of five or six weeks, I have known a Rain of five or six Inches to fall in a few hours, which spoils the meadows, washes much of the fine Soil from Lands in culture, and on declivities, makes deep Gullies, and makes the Roads in many Places almost unpassable.

The Wives and Daughters of the Farmers and poorer Inhabitants, all are in the habit of making considerable Quantities of Linen and Woolen Cloths, to fill up their Spare Time from housework, sewing, and occasionally working out of doors, especially the Germans, and all of them make good Gardens of a variety of good Vegetables which is half the support of their Families, they would also find Time to spin a great deal more if furnished with the raw materials, as Flax and especially Wool are always in great Demand. These Manufactures are a great Supply to the Country, though far from sufficient for our Consumption, and if the Materials were even in abundance, Labour is so dear, that no Fabrics could be carried on to supply our Towns, as they would come higher than they are imported ; yet considering our few Products and decreasing Articles for Exportation, unless we manufacture more and import less, we must ever be a very poor State.

The number of Inhabitants in this State were estimated by Congress in 1776 at 150,000, if that account was just, perhaps they are since encreased, notwithstanding the numbers carried off by

contagious Disorders during the War, (few were killed) and the numerous Emigrations. Allowing the above Number of People and that New Jersey contains 4,375,970 Acres, it will give 29 Acres pr. Head, and suppose the People in the united States to amount to 3,049,678 and suppose they occupy the same extent of Land as the Inhabitants of New Jersey. The united States will at present occupy 88,440,662 Acres. France contains 185,922,309 Acres and 25 millions of People gives $7\frac{2}{3}$ ds Acres to each. And Great Britain which contains nearly one-fourth of France, having 46,672,640 Acres is supposed to contain 10 Millions of People, and $4\frac{2}{3}$ d Acres of Land for each: I am almost tempted to make some Reflections on these numbers but it would be digressing too much.

There have been several Copper mines worked within the State, As Schuylers, near Newark, to very great Profit, but latterly being incommoded with water, a Fire-Engine was erected, which being burnt down, is not now worked. These of Rockyhill, Brunswick and Bedminster have also been worked, but Labour is too dear to continue them. Iron Ore every where abounds, and have employed many Furnaces to the great Consumption of Timber, at present there are only three used, but many Forges for refining, also Bloomeries that draw Iron from the Ore, the Woods getting Scarce, Labour higher, the British Market being lost, are all discouragements to this Branch, and Trade being open to the Baltic, gives them an Opportunity of bringing no small Quantity of Iron and Steel, tho' subject to a Duty; during the War Iron was six and seven Dollars pr. hundred Weight, now reduced to four Dollars. In former Times there have been thirty Iron works of all sorts, carried on in the County of Morris alone. There are many mineral Springs, a Chalybeat in Morris County is much frequented, and found very efficacious in many Complaints, Limestone is good and plenty, and if not so dear calcining might be used to great Advantage as a Manure, already some is used on a Medium at 40 Bush^{ls}. pr. acre, whereas in Britain they use from one to 300 Bush^{ls}-. By Wights Reports of Husbandry in Scotland I find that 800 Bush^{ls} have been laid on one of our Acres. In this Country it is found that the poorer the Land the less Lime it will bear, and Crops will be in Proportion. In Pensilvania the Practice is very general; indeed they are before the rest of America in every thing.

Jersey is bounded by two noble Rivers, useful in Navigation and supplies great Quantities of Fish, especially Shad. Raritan and Passaick are also fine Rivers, empty into New York bay, and each navigable about 14 and 20 Miles, the Rivers that flow into Delaware are all small, as are Shrewsbury and Tom's River which flow into the Ocean navigable, for small Craft some Miles, especially the last.

Tho' Jersey is well situated for Fisheries there is nothing of this sort attempted except for Home Consumption. That for Whales was formerly tried at Amboy, and surely no Place seems more conveniently situated.

There are many thousand Acres of Salt Meadow, which are of great Benefit to the Lands adjacent, both for their Stock of Cattle, and manure; by plowing it in. I suspect that large Flocks of Sheep might be kept there, as on the Marshes in England, and is an Article we are so deficient in; but our whole Attention seems to be taken up with raising Wheat, tho' it appears that we are very little skilled in it; to raise Wheat we should have Manure, and for that End improve our Meadows, and cultivate artificial Grasses, to which our Soil is, we find, natural, for in this Article, we approach nearer the British than in Grain, as we cut from one to two and a half Tons of Hay pr. Acre. Our horned Cattle are smaller than those of Rhode Island or Connecticut, and the Cows weigh from four to six hundred Weight the Quarters, and We abound in a variety of good Horses, for draft or Saddle, but err greatly in keeping too many, instead of Oxen who would improve in our Hands, and furnish us more Beef and Sole Leather. It is to be regreted we keep so few Sheep, owing to our not providing Winter and Spring Food for them, otherwise nothing more profitable. The Fleeces average $2\frac{1}{2}$ lbs. and the Quarter of Mutton 14 lbs. Nothing thrives better, or yields quicker Returns than Swine. I have known a sow cost four Dollars and within the Year she and her Broods have amounted in Value to eighty-two Dollars, with very ordinary keeping. We must allow 3 Bush^{ls}. Corn and as much Buchwheat to rear and fatten each Hog, besides Pasture and the run of the Orchard. Cyder is made on almost every Farm, which beside a pleasant Beverage, gives a plentiful Supply of Vinegar much used by all Ranks in Vegetable and Salt Diet. Bees are also reared in great Abundance, a Tenant with Care sometimes pays his Rent with this Article, by Honey, Metheglin, (very excellent), and Wax. So that on the whole this is an excellent Country for the poorer and middling rank of People: as with due industry they may all earn a comfortable Living and even advance themselves, tho' not so speedily as formerly.

Having now considered the State respecting its Settlement, political State, the Lands, and Husbandry, I shall conclude with an attempt to make some Observations on the various Inhabitants; who having emigrated from different Countries, there still remains something characteristic to designate them. The Townships of Elizabeth, New Ark, Woodbridge, Piscataqua, Shrewsbury, Freehold and Middletown were early settled under Sr. Geo. Carteret, and in general from New England. Also

Bergen Town and County by the low Dutch ; these comprehended most of the Settlements made before the eastern Division was conveyed to the twenty four Proprietors in 1682 and include the best Lands in Essex, Middlesex, Monmouth and Bergen Counties which were granted by Carterets Governour at a half penny sterling pr. acre Quit rent, the whole amounting to about—acres with allowance of ten pr. cent for Highways, Morris County is partly New England descent, and a few from West Jersey, Monmouth is in the same State, with a mixture of Scot's Families. Part of Morris and the Eastern Parts of Somerset were from the north of Ireland, but all the most valuable Lands in Somerset are possess'd by the low Dutch, also the large Township of Reading in Hunterdon. Sussex is settled and is a mixture from all the other Counties. Tho' some of these Settlements were made, with some intermixtures above 120 years ago, they still retain the manners, Language and worship of their Predecessors; those from New England affect more gentility, are more apt to run in Debt, to scheme and speculate, more litigious, and have more Genius and Learning, fond of Arms, Liberty and Democracy. While the low Dutch are a quiet, frugal People, possess considerable Property, are afraid to run in Debt, without being fond of Law, or Offices of Government.

Lord Berkley began to settle the Western Division in 1665 by Emigrants from Yorkshire and other northern Parts of England. When he and his Assigns sold in a hundred shares, the chief Proprietors were Quakers, who made fine Settlements in the Counties of Burlington, Gloster, Salem, Cumberland, Cape May, Hunterdon and half of Sussex, and the many Settlers among them were of different Persuasions, yet the Quakers held the chief Property and Management, and noted for a frugal and industrious People, they have banked off many valuable meadows in Delaware, have no Poor among them ; formerly had a great Sway in the Legislature, but could not now prevent Paper Money tho' they and other Western Members, strongly bore testimony against it ; dispersed in both Divisions are many laborious, ingenious and parsimonious Germans, who came here late and poor, but are daily acquiring Estates, especially in the large Counties of Hunterdon and Sussex.

By the fundamental Constitutions Religion is on a most liberal Footing ; all Modes of Worship are equally tolerated without Preeminence, and their numbers may be as follows. Presbiterians 36,000, Quakers 24,000, Dutch 24,000, Calvinists 15,000, Lutherans 12,000, Baptists 12,000, Episcopalians 10,000, Memonites 2,000, Moravians 200, Romans 200, of no particular Sect 13,600. Total 150,000, the whole supposed number. We never hear of Disputes, Competitions or Jealousies among

them, and each pay only to whom they Subscribe, some contribute to more than one, to assist their neighbours, and many pay to, or are attached to none.

Schools and Masters for reading, writing and Accompts are everywhere dispersed thro' the Country, there are few Instances of a Farm house being more than two miles distant from a School. There are also many Latin Schools, and two Colledges, of which Princeton brings many Students from distant Parts, is very flourishing, and has bred many eminent men; Brunswic Colledge was intended for educating the low Dutch, particularly for the Ministry, but this seems almost needless, as this Language as well as the German wears fast out. The Academy at Hackinsac is of great note, having about 140 Scholars, mostly from New York. It must be owned that the Farmers, and middle Class of People run too much on sending their Sons to Colledges, which unfits them for their own Employments, greatly overstocks the learned Professions, gives other Ideas beyond their Circumstances, makes to too many Candidates for public offices and Employments, and greatly contributes to prolonging the annual Elections, which sometimes throws the Country idle for ten days or more, and occasions Animosities even among near Relations, that the rest of the year hardly make up. A Pretence to Learning, and a Rotation in offices, also diffuses a turn for Expence and genteel Living much above the Circumstances of the Country and the more frugal and industrious manners of their Fathers.

Tho' we have so many Smatterers in Learning among us, it must be owned we have few deep Scholars, for the Genius of the Americans is rather forward and quick, than adapted to intense Study and Application. It must be allowed they have bred some able and brilliant Speakers, nervous writers on political Subjects, and are not destitute of a taste for Poetry, witness the very humorous Poem of McFingal. It is a misfortune that Students have few helps from private or public Libraries, they ought therefore to stay longer at Colledges, where they might have some Assistance, but they generally hurry thro', and the greater Part think no more of the Classics or the Sciences.

I expected to have confined these remarks within a single sheet, and by enlarging them have probably mentioned some matters too trivial, but not to lengthen them with a tedious appology, I submit them to you as they are, and thus fulfil my Promise to you.

New Jersey 10th Aug. 1786.

LETTER FROM WM. S. LIVINGSTON TO COL. AARON BURR.

From the original in the possession of the Society

BEVERWYCK, 10th July, 1782.

DEAR BURR :—I have but a Moments Time to Congratulate you on the late happy Circumstance of your Marriage with the Amiable Mrs. Provost. Confident that the Object of your Choice would ever meet with Universal Esteem, I have waited impatiently to know on whom it would be placed. The Secret at length is revealed, and the Tongue of Malice dare not I think caluminate it. May Love be the Time Piece in your Mansion, and Happiness its Minute Hand. Present if you please my respects to your good Lady and all Friends with you, in which this whole Family join. Add one favor more if your please, which is to remind Mr. Varick on your Return to Albany, of his Promise to me to have the Injunction taken off my License as a Practioneer in that State, you will oblige

Your Most Sincere Friend,

WM. S. LIVINGSTON.

ADDRESS.

“TO COLONEL AARON BURR,

“Mr. Depeyster.”

“At Paramus.”

OFFICERS OF COL. PETER SCHUYLER'S REGIMENT, 1759.

From a contemporaneous list in possession of W. A. Whitehead.

Colonel.....PETER SCHUYLER.

Lieut. Colonel.....SAMUEL HUNT.

Major..... WILLIAM DOUGLASS.

<i>Captains.</i>	<i>Lieutenants.</i>	<i>Ensigns.</i>
John Rickey,	Peter Schuyler,	Jonathan Stone.
John Tenbrook,	<i>Capt. Lieut.</i>	Enoch Hunt,
Wm. McDonald,	Wm. Pew,	Danl. Cox,
Amos Ogden,	George Corryell,	John Alburtis,
Silas Newcomb,	Walter Vantile,	Gilman Freeman,
Alex. Anderson,	Elias Dayton,	Wm. Shute,
Zephaniah Luse,	William Maxwell,	Jacob Bonnell,
Francis Bernard,	Josiah Banks,	Michael Henderson,
	Thomas Griffin,	Phineas Crane,
	William Falkner,	— Cox.
	Thos. Longfield,	

FRANCIS BERNARD. Adj't.

PROCEEDINGS
OF THE
New Jersey Historical Society.

SECOND SERIES.

VOL. I.

1869.

No. 3.

TRENTON, *January, 21st, 1869.*

THE Society held its Twenty-fourth Annual Meeting at the State House at 12 o'clock M., the Hon. RICHARD S. FIELD, First Vice-President, presiding: JOHN RUTHERFURD, Esq., Third Vice-President, being also present.

The minutes of the last meeting were read by the Recording Secretary and approved.

The Corresponding Secretary reported the receipt of letters from Messrs. T. N. McCarter, A. N. Dougherty, W. H. McClave, Mark H. Gould, J. D. Orton, E. W. McClave, J. H. Kase, and W. A. Conover, of Newark; Mr. Amos Clark, Jr., of Elizabeth; Mr. J. H. Nixon, of Millville, and Mr. W. S. Johnson, of Trenton, accepting membership; from Rev. J. F. Tuttle, tendering a copy of an address "On the Fathers of Morris County;" from Mr. Robert Clarke, of Cincinnati, making inquiries relative to John Cleve Symmes, and transmitting a donation to the Library; from Rev. A. Q. Garretson, of Jersey City, making inquiries respecting the early grants of Acquackanock; from Mr. C. H. Hart, of Philadelphia, referring to a family of Scott's, early landholders near Princeton; from Mr. Charles B. Moore, of New York, respecting some branches of the "Tuthill" or "Tuttle" family; from Rev. E. T. Corwin, in reference to the publication of "A Manual of the Reformed Church in America;" from Mr. Wm. C. Wallace, transmitting a subscription to the Library Fund; from Mr. S. Jenkins, of Wyoming, Pa., relative to the Journal of Sullivan's Expedition; from Mr. Samuel T. Clark, of Belvidere, transmitting a diary kept by Joseph Clark during the Revolution;

from Prof. Moffat, in answer to the request to be furnished with a copy of his paper read before the Society at its last meeting; from the Maryland Historical Society, asking for some of the Society's publications; from the Essex (Mass.) Institute, the Smithsonian Institute, and the Historical Societies, of Massachusetts, Long Island and Maine, acknowledging the receipt of its Proceedings; from Mr. C. S. McKnight, of Poughkeepsie, New York, making inquiries relative to the Rev. Chas. McKnight, one of the early trustees of Princeton College; from the Rev. Jas. E. Bernard, of Boardville, N. J., communicating some items of information relative to Robert Erskine, of Ringwood; from Mr. C. C. Haven, of Trenton, transmitting a copy of an unpublished letter from General Washington to the Rev. Samuel Haven, D. D.; and from numerous other parties on matters connected with the Society's operations; and the Society was informed of the action taken in answer thereto.

The Librarian reported the donations to the Library since the meeting in May (which will be found on a following page), and drew attention particularly to a large number of pamphlets received from Mr. David A. Hayes, among them some exceedingly rare.

The Treasurer reported the balance in the treasury to be \$530.14, and \$1,160 as the amount of invested funds.

The Executive Committee reported the Society as quietly extending its advantages as heretofore to all who would profit by them, its beneficial influences developing more and more with the demand made upon its resources.

"If we revert," said the report, "to the period of its organization, and consider the clouds that then rested upon our local history, and then mark the change which has been wrought by the researches of those connected with the Society, or through the materials it has amassed, its true importance to the State cannot fail to be better appreciated. Each year enlarges the number of those interested in rescuing from oblivion the fleeting mementoes of the past, and increases the accumulation of facts that will, it is hoped, in due time, result in the production of a general history of New Jersey, creditable alike to both its author and the State."

The Committee regretted that there should be any backwardness in contributing to the resources of the Society through subscriptions to the Library Fund, or by regularity in paying the regular fees; but it was nevertheless true that the rent of the rooms and the incidental expenses of the Library had been borne for several years by the volun-

tary contributions of a few members of the Society, and that there was not as systematic a discharge of the pecuniary liabilities of membership as was desirable.

The Committee draw attention to the propriety of modifying a resolution adopted in 1867, authorizing the sale of the lot owned by the Society in Newark, so that it would allow of an arrangement being made with the Newark Library Association, or any other literary institution, for the erection and joint occupancy of a fire-proof building.

The Committee on Publications reported the issue of another number of the current proceedings, bringing them down, in print, to the present time.

The Committee on the Library reported the arrangement of all the New Jersey newspapers in the possession of the Society, and the progress made in binding them—a mass of information, relating to the local history and genealogical annals of the State, having been thus preserved and made available. They drew the attention of the members to the necessity of keeping the subscriptions to the Library Fund active. Some will expire the present year, which they trust will be renewed; and others in addition were solicited, made payable at any time of the year that may be most convenient, and for one or more years at the option of the subscribers. The members would confer a favor by communicating their wishes to the Secretary.

The Committee on nominations reported favorably on the names of fourteen gentlemen which had been referred to them, and they were elected by ballot; and new nominations were received.

The Chair appointed the following Standing Committees for the year:

On Publications. William A. Whitehead, Henry W. Green, Samuel H. Pennington, M. D., Rev. John Hall, D. D., and John Rutherford.

On the Library. Joseph P. Bradley, Peter S. Duryee, John P. Jackson, Martin R. Dennis, with the Treasurer and officers residing in Newark.

On Nominations. David A. Hayes, Peter S. Duryee, and Rev. R. K. Rodgers, D. D.

On Statistics. N. Norris Halsted, F. Wolcott Jackson, Rev. Samuel M. Hamill, D. D., E. M. Shreeve, and Arthur Ward, M. D.

Messrs. Bowne, Maclean and Mackin, were appointed a committee to nominate officers, who subsequently reported the following list, which was adopted:

President,

RICHARD S. FIELD.....*Princeton.*

Vice-Presidents,

HENRY W. GREEN.....*Trenton.*

JOHN RUTHERFURD.....*Newark.*

RAYAUD K. RODGERS, D. D.....*Bound Brook.*

Corresponding Secretary,

WILLIAM A. WHITEHEAD.....*Newark.*

Recording Secretary,

DAVID A. HAYES.....*Newark.*

Treasurer,

ROBERT S. SWORDS.....*Newark.*

Librarian,

SAMUEL H. CONGAR.....*Newark.*

Executive Committee,

SAMUEL H. PENNINGTON, M. D.....*Newark.*

CHARLES S. OLDEN.....*Princeton.*

N. NORRIS HALSTED.....*Hudson County.*

JOHN HALL, D. D.....*Trenton.*

SAMUEL M. HAMILL, D. D.....*Lawrenceville.*

JOHN CLEMENT.....*Haddonfield.*

CHARLES C. HAVEN.....*Trenton.*

WILLIAM B. KINNEY.....*Newark.*

PETER S. DURYEE.....*Newark.*

MR. WHITEHEAD presented, in behalf of Mr. J. Lawrence Kearny, of Perth Amboy, an original order dated December 7th, 1672, signed by Lord John Berkeley and Sir George Carteret, and sealed with their seals, directing the Governor and Council of East Jersey to relinquish for seven years one-third of the annual quit-rents due from the corporation of Woodbridge; and also authorizing grants to Samuel Moore, of that township.

On presenting this interesting document, Mr. Whitehead remarked that, as it was thought necessary by some writers upon our history to consider the Lords Proprietors as always insisting upon "the pound of flesh," it was well that such documentary evidence was available to prove that where their rights were not contested they were not so strict in their enforcement. He adverted to the fact that, from want of appreciation of their value, many papers equally as interesting, perhaps, had been and were yearly being destroyed. All such should be sought

out and deposited with the Society. He also alluded to the neglect of many township officers in not taking proper care of their records and transferring them to their successors. As long ago as 1857, the present Comptroller of the State, William K. McDonald, Esq., had at his instance endeavored to get the Legislature to sanction some measures for the preservation of the public records, but without success. Since that time several instances had come to his knowledge of records, then in good preservation, having been lost or destroyed. He thought the subject worthy the consideration of the Legislature.

Mr. W. also presented from Mrs. Gertrude P. Smith, of Perth Amboy, the original commission of James Smith, to be Clerk of the Supreme Court and Register of the Proprietary in 1715, signed by sixteen members of the Board.

Rev. JOHN HALL, D.D., presented a number of interesting and valuable papers and old pamphlets, in relation to which Mr. HAYES made some pertinent remarks, urging donations of a similar character, as oftentimes, what might be deemed of no value intrinsically, would furnish missing links to a chain of facts that might prove of great interest. He illustrated this by stating that although it had been thought that Newark had at one time been the residence of the family of the poet Shelly, no proof of the fact had been discovered until accidentally an old deed was found to which the name of Shelly's father was appended as a witness.

Mr. RALPH VOORHEES, of Middlebush, offered some suggestions relating to the best mode of enlisting the interest of one or more individuals in each township of the State for the objects of the Society; and was followed by the Rev. Drs. HALL and MACLEAN, on the importance of personal attention to the history of particular events with a view of eliciting the truth respecting them. Mr. WHITEHEAD drew attention to the fact that the Society on its organization had put forth a circular calculated to provoke inquiries and to elicit the interest alluded to by Mr. Voorhees, and that a copy of such circular was still sent to each new member.

In furtherance of the recommendations of the Executive Committee, Mr. DURYEE offered the following resolution, which was adopted:

Resolved, That the Executive Committee, in conjunction with the Committee on the Library, be empowered to make such arrangements as they may deem advisable with any one or more of the literary institutions of the city of Newark, with a view to the erection and joint-occupancy of a fire-proof building on the lot of land owned by the Society in said city, and that the President and Secretary

be authorized to ratify and confirm the same in behalf of the Society, on the request of the said Joint Committee, by the execution of all necessary legal documents.

At 3 P. M., Mr. RUTHERFURD in the chair, the Society was favored with an address "On the Life and Character of the Hon. James Parker, late President of the Society," by Judge FIELD, which for an hour and a half absorbed the attention of all present.

At its close Col. SWORDS remarked, he felt confident that he would be only giving expression to the sentiments of all present in characterizing the paper which had so interested them as a most worthy memorial of a worthy man, and offered a resolution that the thanks of the Society be tendered to Judge Field for his admirable address, and that a copy be requested for publication, which was adopted.

The Society then adjourned to meet at Newark on the third Thursday of May next.

Resident Members.

ELECTED JANUARY 21ST, 1869.

Allen L. Bassett, *Irvington.*

A. Staats Bonney, *Rahway.*

James DeHart Bruen, *Newark.*

E. A. Campbell, D.D., *Hoboken.*

George Haskins, *Newark.*

S. R. W. Heath, *Newark.*

Andrew Kirkpatrick, *Newark.*

Samuel P. Nicholson, *Yardville, Mercer County.*

Daniel Price, *Newark.*

Francis M. Tichenor, *Newark.*

Augustus Pruyn, *Newark.*

Lewis F. Randolph, *Newark.*

Barton F. Thorn, *Crosswicks, Burlington County.*

Roswell Van Buskirk, *Newark.*

Selections from Correspondence and Papers,

LAI'D BEFORE THE SOCIETY JANUARY 21, 1869.

FROM C. C. HAVEN, ESQ.

TRENTON, N. J., Dec. 28th, 1868.

WM. A. WHITEHEAD, Esq., *Cor. Sec., &c.*:

DEAR SIR—Under the impression that state historical societies are not, or ought not to be, so sectional in their character as to be uniformly opposed to receiving matters of historical interest, either national or personal, I take the liberty to enclose to you a copy of a letter from General Washington to my father, then residing in New Hampshire, which was found among his papers when he died in 1806, and is now in the family of his executor, at Portsmouth, and which to my knowledge has never yet been published. A photographic fac-simile of the original letter I will, at our next meeting, present to the Society for their examination, and if desired, I will present them with a copy, like the copy of his (Washington's) original letter to the ladies of Trenton, in 1789, which I sent you. The paper on which both are written is discolored by time, but both letters present the unmistakable penmanship, the dignified courtesy and admirable style of the author. He was the model of a finished gentleman towards others, and as prudential and attentive to private matters as he was in public concerns. I delight to contemplate him in this character. It is no wonder that he was "first in the hearts of his countrymen." My father's letter was unanswered, for good reasons as you will perceive, for nearly ten months, and what his feelings were I can easily imagine—those of surprise, perhaps, but not of distrust or resentment; for when Washington visited Portsmouth two years afterwards, being consulted by the selectmen of the town to know by what *title* they should address him, as President or General, he sent them that improvised answer in verse which may innocently have been attributed to a greater poet, but not to a truer American:

Fame spread her wings, and loud her trumpet blew,

"Great Washington is near! What praise his due—

What title shall he have?" She paused and said,

Not one! *His name* strikes every title dead!

The writer of this high compliment to Washington, who, like Alfred, was the "Father of the State," through whose never-despairing energy

the cause of our nation's independence was gained, not lost, meant what he wrote. He was five years older than Washington. He was an American Clergyman of the Puritan stock, growing more and more liberal all his life. His published sermon on the death of his Majesty George the 2d, and the happy accession of his blessed Majesty George the 3d, has been in my possession. Soon after this he was made D.D. by the University of Edinburgh, and also by Dartmouth College. But ever ready to put his liberal principles into practice, he was among the first to shoulder a parson's musket, and to join General Sullivan, John Langdon, and other patriots in 1774, who resisted the King's government and took away his arms and ammunition; and afterwards he used the earth under his own meeting-house and other old buildings with which he made saltpetre to manufacture powder for our army. With that musket and in the saltpetre-vats I have had many a boyish sport. When Washington's death was announced to my father in 1799, I was a boy of twelve years old, and witnessed the shock that event gave him. It was unexpected and completely overwhelming. He retired to his study speechless, and the old man was like a tender boy bereft of a beloved parent, and so seemed every one that I met with in the street.

"Such honors lion to her heroes paid,
And peaceful slept the mighty Hector's shade."

Suffer me now, sir, to *write* you a few lines (instead of saying nothing in the style of one in whose praise so much can be said), concerning Colonel Tobias Lear, the subject of the letter now enclosed to you. Who it was that first made Washington to know him and to write to my father for a recommendation of him, I cannot say, but I presume it was some of the Congressmen, then in session in Philadelphia forming the Constitution. He was a member of Washington's family, and his confidential secretary for fourteen years. He was at his bed-side when he died, and wrote a particular memoir of his sickness and decease. His mother was a dignified old lady of Portsmouth, N. H., living in a venerable mansion, where Washington called upon her in 1789, as appears by his private memorandum. She was very deaf, but polite and stately in her manners. She was a member of my father's congregation, whom we always called Madam. I have seen at her house many gifts and reminiscences of the Washington and Custis families.

Whatever disparagement Col. Lear's reputation may have received after Washington's death, owing to political opposition, I cannot but think that the high satisfaction he gave to Washington and the encomiums paid him by Hon. Richard Rush, who had access to his private papers and knew him well, must ever be considered a sufficient justifi-

cation for the letter my father gave him, and entitle him to the gratitude of his countrymen.

Very respectfully yours,

C. C. HAVEN.

Copy of an unpublished letter from General Washington to Rev. Samuel Haven, D. D., Portsmouth, N. H. :

MOUNT VERNON, Mar. 10, 1787.

REV'D SIR : Although I gave the greatest credence to your account of the talents and good behaviour of Mr. Lear, yet before I subscribed to them, I was desirous of a little time to form my own judgement of both.

To this, and to this only, you will be pleased to attribute my not acknowledging the receipt of your favor of the 6th of May, at an earlier period.

It is with pleasure I now inform you, that the deportment of this young Gentleman since he has been a member of my family, has been so perfectly proper and pleasing as to render him highly esteemed. Sensible that saying this to a gentleman who has discovered an interest in his welfare, could not be unpleasing, is the cause of my giving you the trouble of this letter, at the same time that it affords me an opportunity of thanking you for the polite and affectionate wishes with which your letter is replete, and to assure you of the respect with which

I am, Rev'd Sir,

Your most Obed't H'ble Ser't,

GEO. WASHINGTON.

The Rev'd SAM'L HAVEN.

FROM REV. JAS. E. BERNARD.

BOARDVILLE, N. J., July 21, 1868.

Mr. S. H. CONGAR :

DEAR SIR : Enclosed please find copies of the inscriptions on the two tomb-stones in the Cemetery at Ringwood, N. J. (of which we spake when I saw you at your house).

The fact, which I mentioned to you as communicated to me by Rev. Dr. Messler, of Somerville, I will give you in the following extract from his letter :

"When at Dryburgh Abbey, visiting the tomb of Walter Scott and his wife, I observed a small mural tablet near by, from which I copied the following inscription : 'Sacred to the memory of the Rev. Henry Erskine and his sons Ralph and Ebenezer Erskine, ministers of the Se-

cession Church of Scotland. Henry was born at Dryburgh, last of 33 children of Ralph Erskine of Sealfield and Dryburgh, descended from a brother of the Earl of Mar, Regent of Scotland in James VIth's reign. Henry was Minister of Cornhill, died after being imprisoned in the tower of Bass-rock Aug. 10, 1696.

Ralph, Minister of Dunfermline died Nv. 16, 1752.

Ebenezer, Minister of Potomac died June 2, 1754.

Erected by Sir David Erskine of Dryburgh Abbey."

This extract may perhaps be of some interest to you.

COPIES OF THE INSCRIPTIONS ON TWO TOMB-STONES AT RINGWOOD, PASSAIC COUNTY, NEW JERSEY.

In memory of Robert Erskine F. R. S.

Geographer and Surveyor General to the Army of the United States,
Son of the Rev. Ralph Erskine, late Minister at Dunfermline in Scotland.

Born September 7th 1735. Died October 2d, 1780.

Aged 45 yrs. and 25 days.

In memory of Robert Monteath,

Clark to Robert Erskine, Esq.

Born at Dunblain in Scotland.

Died Dec. 2, 1778.

Aged 33 yrs.

GRANT FROM LORD JOHN BERKELEY AND SIR GEORGE CARTERET.

From the Original presented by Mr. J. Lawrence Kearny.

To our Govern^r & Councill as also to y^e Receiv^r Gen^lall of o^r Province of new Cesarea or new Jersey

Wee doe hereby signifie vnto you or either of you, that it is our good will and pleasure to manifest our grace & bounty vnto y^e Justices Magestrates & freeholders of y^e towne & Corperac^{on} of Woodbridge in y^e prouince abouesaid so farr foth as to give vnto them one third part o^r y^e high or quitt rents due vnto vs our heires or success^{rs} for seuen yeares next to come from y^e date hereof after w^{ch} time of seuen yeares they y^e s^d Corperac^{on} or township are to pay the full proporc^{on} of rent to vs o^r Heires and assigns according to their Charters and Pattents.

Wee doe further order you o^r Gov^rno^r and Councill or Receiv^r Gen^lall to pay vnto Samuell Moore of Woodbridge or his Order for vs out [of s^d] Quitt rents yearly for y^e space of seuen yeares next to come from

y^e date hereof the summ of tenn pounds yearely, the w^{ch} we will allow of

And wee Likewise p^rmitt you to graunt vnto Samuell Moore aboussaid yo^r warrant ffor him to take vp Sixty acres of Vpland for each head that properly belongs to him (besides such hee hath already taken vp for) although they are not of age according to y^e Concessions wth y^e Marsh and Meadow ground adioyning therevnto, and if no Marsh or Meadow ground bee adioyning hee may have Liberty to take so much neerest adiacent therevnto as is allotted to y^e proporc^{on} of Vpland according to your discretion, and when Surveyed to graunt him a p^atent for y^e same hee paying o^r Quitt rent.

Given vnder our hands and seales at Whitehall y^e 7th day of December, 1672.

G. CARTERET. { SEAL. }

JO. BERKLEY. { SEAL. }

Donations

ANNOUNCED JANUARY 21, 1869.

From the New Hampshire Historical Society—Documents and Records relating to the Province of New Hampshire, from the Earliest Period of its Settlement: 1623-1686. Vol. I.

From the Massachusetts Historical Society—Collections of the Society, Vol. VIII. Fourth Series.

From the Historical Society of Wisconsin—Reports and Collections of the State Historical Society for the years 1867, '68 and '69. Vol. V. Parts 1, 2 and 3.

From the Iowa Historical Society—The Annals of Iowa. July and October, 1868.

From the Maryland Historical Society—Origin and Growth of Liberty in Maryland. By Geo. Wm. Brown. Fifth Annual Discourse, 13th April, 1850.

Reports of the President of the Society, 1850 and '58.

The Maryland Historical Society and the Peabody Institute. By Brantz Meyer, April, 1866.

Hon. Wm. Fell Giles' Annual Discourse (the Tenth) before the Society, 17th Dec., 1866.

Constitution and By-Laws of the Society, with the list of Officers, Honorary, Corresponding and Active Members. 1867.

Life and Services of Gen. Otho Holland Williams, of the Maryland Line. By Osmond Tiffany, 1851.

Baltimore—Long, Long Time Ago, etc., etc. (Poems). By W. B. Buchanan, 1853.

Who were the Early Settlers of Maryland? By Rev. Dr. Ethan Allen; October 1865.

Memoir of John H. Alexander, LL.D., read before the Society May 2, 1867. By Wm. Pinkney, D. D.

History, Possessions and Prospects of the Society. Inaugural Discourse of B. Meyer as President, 7th March, 1867—the first issue of the Publication Fund.

The First Commander of Kent Island (George Evelyn). By Sebastian F. Streeter, late Secretary M. H. S. 1868.

From the American Antiquarian Society—Proceedings of the Society. Special Meeting, June 2, 1868.

From the American Philosophical Society—Proceedings of the Society. vol. X., Nos. 78, 79 and 80.

From the Smithsonian Institution—Smithsonian Contributions to Knowledge, vol. XV. Annual Report of the Board of Regents of the Institution, for 1867.

From the New England Historic-Genealogical Society—The Hist. and Gen. Register, vol. XXII., Nos. 3 and 4. Vol. XXV., No. 1. A Discourse commemorative of John A. Andrew, Late President of the Society. By Rev. Elias Nason. Hon. Marshall P. Wilder's Address (President of the Society) Jan. 6, 1869.

From the Essex Institute—Historical Collections of the Institute, Second Series. Part 1.

From David A. Hayes—Correspondence between the Hon. John Adams and Wm. Cunningham, Esq. LXIII Letters, beginning in 1803 and ending in 1812. 1823.

J. Q. Adams' Oration at Quincy, Mass., July 4, 1831.

Lives of Celebrated Statesmen, by J. Q. Adams, with a Sketch of the Author, by the Rev. C. W. Upham. 1846.

The Jubilee of the Constitution, a Discourse 30th April, 1839.

Oration on the Life and Character of Lafayette, 31st Dec., 1834, by John Q. Adams.

The following speeches by Daniel Webster :

Speech in the Supreme Court of the U. S., Feb. 10, 1844, in the case of Stephen Girard's Will. A Defence of the Christian Religion. Vindication of the Treaty of Washington of 1842, in the Senate, April 1846.

Speech at Niblo's Saloon, New York, 15th March 1837.

Discourse in Commemoration of Adams and Jefferson, in Faneuil Hall, Aug. 2, 1826.

Speech on the President's Protest, in the Senate, May 7, 1834.

Speech on the Greek Revolution in the H. of R. Dec. 1823.

Argument in the Supreme Court on the Rhode Island Question, Jan. 27, 1848.

Remarks on the Life and Writings of Daniel Webster, taken (with some additions) from the 18th No. Amer. Quarterly Review.

The following sermons :—

Dr. Griffin's Farewell Sermon, Newark, May 28, 1809.

Dr. Griffin's Sermon before the Amer. Board of Missions, Sept. 14, 1826.

Dr. Springs, on the Doctrine of Election, Dec., 1816.

Lyman Beecher's Sermon, at Newark, Oct. 1808, "The Government of God desirable."

Address at the Funeral of Mrs. Sarah Cumming, by James Richards, A. M., June 24, 1812.

Wm. J. Armstrong's Sermon on the Death of David J. Burr, Richmond, Va., 1838.

Dr. Emmon's Sermon at Wrentham, March, 1816, at the Funeral of Mrs. Farrington.

Discourse at Williamsburg, Nov. 1828, at the Funeral of Mrs. Fidelity Lord. By Edward Hitchcock, Prof. in Amherst College.

Rev. W. T. Hamilton's Sermon, on the Death of Mrs. Eliza, wife of Gen. D. S. Clinch, Mobile, May 24, 1835.

"Grounds of Thanksgiving." W. T. Hamilton's Discourse at Newark, Dec. 3, 1831.

"The Bush that Burned with Fire," a Sermon by Bishop G. W. Doane, Dec. 31, 1840.

"The Building up of the Church." By the Rev. E. W. Wiltbank M. A., preached at Stratford, on resigning the rectorship, 1842.

"Church Discipline, as Instrumental to Christian Unity;" the Annual Sermon before the Annual Convention, Diocese of N. J., May, 1843, by Rev. J. D. Ogilby, M. A.

The Ministers Rule of Duty. A Sermon by Prof. E. Hitchcock, Dec. 3, 1828, at the Installation of Rev. F. Griswold at South Hadley Canal.

Puseyism or Newmania, exhibited from the diverse writings of Bishop Doane and Bishop M'Ilvaine, with some remarks on Apostolic Succession, &c. By a Presbyterian.

Story's Discourse before the Society of Phi Beta Kappa, Aug. 25, 1826, Boston.

Oration by J. G. Percival, M. D., before the Phi Beta Kappa Society, Sept. 10, 1822, New Haven.

Time. A Poem by the Rev. J. H. Clinch, A. M., at Washington College, Aug. 4, 1841.

Essays on Slavery; re-published from the Boston Recorder and Telegraph, for 1825. By Vigornius and others.

President Humphrey's Parallel between Intemperance and the Slave Trade, 1828.

President Fisk's Address, July 4, 1835, before the Middletown Colonization Society.

An Address to the Presbyterians of Kentucky, proposing a Plan for the Instruction and Emancipation of their Slaves. By a Committee of the Synod. 1836.

Historical Notes on Slavery and Colonization, and of efforts in New Jersey made in favor of Colonization. 1842.

Speeches of W. H. Seward, Lewis Cass, J. C. Calhoun and Daniel Webster, on the subject of Slavery, in U. S. Senate. March, 1850.

Freedom or Despotism. A Discourse by Rev. H. C. Fish. 1856.

H. C. Carey's Letter on the Slave Question. 1848.

The Pope's Bull, and the words of Daniel O'Connell, on Slavery.

Hon. C. F. Mercer's Discourse on Popular Education, delivered at Princeton, Sept. 26, 1836.

Address by Nicholas Biddle, LL.D., at Princeton, Sept. 29, 1835.

Wm. Wirt's Discourse on the Lives and Characters of Jefferson and Adams, at Washington, Oct. 19, 1826.

Chief Justice Hornblower's Discourse, April 17, 1841, at Newark. In memory of Wm. Henry Harrison.

Charles King's Eulogy upon John Q. Adams, at Elizabeth, April 5, 1848.

Outline of the Life of William Henry Harrison, of Ohio. 1840.

Life of Abraham Lincoln. (Tribune Tract).

National Medals of America. By Thomas Wyatt, A. M. 1854.

- Antiquities of America. A Lecture by A. Davis. 1847.
- Olden Time in New York, by Those who knew. 1833.
- Memoir upon Upper California. By J. C. Fremont. 1848.
- Eulogium on Gen. Garret D. Wall, by Hon. L. Q. C. Elmer. 1851.
- Oration upon "Our Sleeping Heroes," Feb. 22, 1866. By J. Davidson, Esq.
- Oration delivered by Gov. Parker, July 4, 1865. "Memorial of John Hart."
- Wm. W. Miller's Address before Newark Bible Society, June, 1824.
- Constitution, &c., with Theodore Frelinghuysen's Address before the Newark Female Auxiliary Bible Society. 1823.
- Can the Camden and Amboy Monopoly be abolished? Address of the Canal and Railroad Companies to the People of N. J., and Review of the address, by a Citizen of Burlington, 1848.
- Appeal of Com. R. F. Stockton to the People of N. J. 1849.
- History of the Railroad Conflict in the 84th Legislature, from authentic documents. 1860.
- John P. Jackson's Correspondence with Citizens of New Jersey on a General Railroad System. 1860.
- Railroad Management in New Jersey, its influence upon the New York Suburbs. By Norman. 1864.
- Acts of Incorporation of the several Passenger Railway Companies in Philadelphia. 1858.
- Opinion of the Judges of the Supreme Court of the United States in the cases of "Smith vs. Turner," and "Norris vs. the City of Boston." 1848.
- Opinion of Justice Grier, in case of Wm. B. Sickels and others vs. the Gloucester Manufacturing Co. 1857.
- National and State Taxation; their operation and results as affecting Life Insurance, with Appendix. 1862.
- Letters to the Members of the Amer. Tract Society, on the Tract Controversy, by the Boston Secretary. 1858.
- Correspondence between the Wardens and Vestry and the Rector and Assistant Minister of Trinity Church, Boston. 1846.
- Proceedings of the Trustees of the Greene Foundation, relative to the Resignation of the Rev. J. L. Watson.
- The Spirit of the Old Dominion. Nos. 3 and 4. Richmond. 1827.
- Address before the Alumni of Rutgers College, July 16th, 1839. By Garret J. Garretson, A. M.
- An Address July 14, 1840. By Isaac N. Wyckoff, D. D.
- An Oration before the Alumni, July 18, 1837. By Cornelius C. Vandersdalen.

Address by J. P. Bradley, Esq., before the Literary Societies of Rutgers College, July 24, 1849.

An Address before the Societies of Rutgers College, July, 1831. By Theodore Frelinghuysen.

An Address, at the Laying of the Corner Stone of the Building erecting for the Charity Institution in Amherst, Mass., Aug. 9, 1820. By Noah Webster, Esq.

A Sermon on the same occasion. By Daniel A. Clark, and a brief account of the origin of the Institution.

Discussion in the Senate concerning Amherst College, Jan. 23, 1824, with sundry statements.

President Humphrey's Inaugural Address, Oct. 15, 1823.

President Humphrey's Sermon, Feb. 23, 1827, at the Dedication of the College Chapel.

An Address before the Alexandrian Society, Aug. 21, 1827, at Amherst. By Daniel A. Clark, A. M.

A Sermon by Royal Washburn, Pastor of the Church in Amherst, April 9, 1829, on Evils which threaten our Country.

Edward Everett's Oration before the Society of Phi Beta Kappa at Cambridge, Aug. 27, 1824.

Oration at Cambridge, July 4, 1826.

Oration at Concord, April 19, 1825.

Oration at Plymouth, Dec. 22, 1824.

And the following Fourth of July Sermons and Orations:

Independence Sermon, at Hanover, N. J., 1814. By Daniel A. Clark.

Oration, 1819, in Trinity Church, Newark. By John Rogers.

Oration, 1823, delivered at Newark. By Hooper Cumming, D. D.

Oration by Asbury Dickens, 1825, in the Capitol at Washington.

The First Jubilee of American Independence, and Tribute of Gratitude to the Illustrious Adams and Jefferson. Newark, N. J., 1826. The Addresses by Wm. Halsey, Esq., and the Hon. Wm. S. Pennington; the Funeral Discourse by Rev. Philip C. Hay.

Oration, 1826, at Northampton, Mass. By George Bancroft.

Josiah Quincy's Oration, at Boston, 1826.

Address at Springfield, N. J., 1826, by Sylvester Cooke.

Address by Samuel L. Southard, A. M., before the Newark Mechanics' Association, 1830.

Address before the Whigs of Newark, 1834. By Oliver S. Halsted.

Oration by Dr. Stephen Congar, in Newark, 1835.

From the State of New Jersey—Laws. Senate Journal. House Minutes and Legislative Documents, for 1868.

From the Adjutant-General of Missouri—The General's Reports for the years 1861, '62, '63 '64 and '65; with the Official Register of Missouri Troops for the year 1862.

From Rev. J. F. Tuttle, D. D.—A Discourse on the Life and Character of Rev. Wm. R. DeWitt, D. D., Late Pastor of the First Presbyterian Church, Harrisburg, Pa. By Rev. Thomas H. Robinson, his Colleague.

Semi-Centennial Sermon of the Seventh Presbyterian Church, New York City, March 29, 1868. By the Pastor Rev. T. M. Dawson, A. M., with Rev. Dr. T. R. Smith's Historical Address to the Sabbath School.

A Discourse on the Life and Character of the late Rev. George Duffield, D. D., by Rev. William A. McCorkle, August, 1868.

Address delivered before the Trustees, Faculty and Students of the Indiana State University, by Conrad Baker, June 30, 1868.

From Mrs. Mary Rogers—Annual Report of the Protestant Foster Home Society of the City of Newark, 1848 to 1868; bound.

From Robert Clarke—Historical Account of Bouquet's Expedition against the Ohio Indians, in 1764, with Preface by Francis Parkman, and a Translation of Dumas' Biographical Sketch of Gen. Bouquet. Published by R. Clarke & Co., Cincinnati, Ohio, 1868.

From the Boston Public Library—Fifteenth and Sixteenth Annual Reports of the Trustees, 1867 and 1868.

From Harvard College.—Annual Report of the President for the Academical Years 1867 and 1868.

From the Quarter-Master-General, U. S. Army—List of Distances in the United States, compiled from the latest information attainable.

From Thomas C. Merwin—A Piece of the Dock at Delft Haven, cut from the Dock by Capt. Nehemiah Rich, in 1854.

From J. H. Clark—Fac-simile of an order to the Sheriff of Suffolk, (Mass.) to attach the bodies of Rogers, Loveage and Sadler, presented by the Grand Jury, for absence from Public Worship. Annoque Domini, 1733.

From Samuel Wilde—Two old engravings, "The Dragon Chained," dedicated to "George Lord Carteret;" and "The Seven Seals of the Book," dedicated to George Earl, of Berkeley, by Richard Blome.

From Hon. F. T. Frelinghuysen—Report of J. Ross Browne on the Mineral Resources of the States and Territories west of the Rocky Mountains.

Trial of Andrew Johnson, President of the United States, before the Senate of the U. S. on Impeachment by the H. of R. 3 vols.

CR.

DR. ROBERT S. SWORDS, *Treasurer, in account with the NEW JERSEY HISTORICAL SOCIETY.*

1867.

Jan. 1. To balance cash on hand, Dec. 31, 1867.	\$369 07
To cash received during year from Annual dues.....	135 00
To cash received during year from Initiation fees.....	126 00
To cash received during year from Life Memberships.....	140 00
To cash received during year from Subscriptions to the Library Fund for paying rent and incidentals.....	380 00
To cash received, yearly interest on U. S. Gold Bonds, including premiums...	70 50
To cash donation from Miss Stafford...	5 00
To cash rent received from N. J. State Agricultural Society, credited to the Library Fund.....	75 00
	<hr/>
	\$1300 57

January 1, 1869.

E. & O. E.

1868.

By Library Fund, Rent.....	\$375 00
Making fires.	3 00
	<hr/>
By expense account, Hire of Taylor Hall.....	15 00
Petty expenses..	27 93
Postage of Cor.	
Secretary.....	6 00
Hire of chairs...	6 00
Coal.....	5 00
Assorting papers.	27 00
Advertising.....	20 00
	<hr/>
By printing proceedings, Vol. I. New series, No., 2.....	141 00
By Binding.....	4 50
By Cash deposited in Dime Savings Bank of Newark, being various Life Member fees.....	120 00
Balance to new account.....	550 14
	<hr/>
	\$1300 57

ROBERT S. SWORDS, *Treasurer.*

ADDRESS

ON THE

LIFE AND CHARACTER

OF THE

HON. JAMES PARKER,

LATE PRESIDENT OF THE NEW JERSEY HISTORICAL SOCIETY,

BY THE

HON. RICHARD S. FIELD.

READ BEFORE THE SOCIETY,

January 21, 1869.

ADDRESS.

SINCE our last annual meeting, we have been called upon to mourn the death of our late venerable and honored President, JAMES PARKER; and in obedience to the call of the Society, I am here to-day to attempt a sketch of his life and character. A life, prolonged far beyond the ordinary period of human existence,—a life spent in the service of the public, and in doing good to others,—a life, the record of which contains no line that those who loved him most would wish to blot,—a character, which in all its relations, public as well as private, was pure and stainless;—an incorruptible patriot—a sincere christian—a conscientious politician, who never gave up to party what was meant for mankind—-who was too fond of the right to pursue what was merely thought expedient,—who, while not shrinking from any post of duty to which he was called, was never an aspirant for office—who valued only that popularity which follows a good man, not that which is run after:—such a life and character, ought to be had in lasting remembrance, ought to be held up for study and imitation. They are the richest legacy he could have bequeathed to his children. They are a part of the treasure of this Society, of which he was a member.

James Parker was born March 3, 1776, in Bethlehem township, Hunterdon County, where his father had sought a retreat for his family, during that storm of war which burst upon the State, at the beginning of the revolutionary struggle. He was the son of James Parker, one of the Provincial Council before the revolution, and a leading member of the Board of Proprietors of the Colony. His mother was Gertrude, the daughter of Rev. William Skinner, for more than thirty years the rector of St. Peter's Church, at Perth Amboy, and the father of Cortlandt Skinner, the last Attorney-General under the Crown.*

On the recurrence of peace in 1783, the family of Mr. Parker returned to Perth Amboy, to that interesting old mansion, so well described by Mr. Whitehead, in his Contributions to East Jersey History, from whose

* See Note A.

portals six or seven generations have issued to engage in the active business of life; within whose walls, the soldier, the lawyer, the merchant, the legislator, have been trained to usefulness, and whose daughters, wives, and mothers, have imbibed those principles of virtue, which, carried thence, have diffused their healthful influence far and wide; where true hospitality and charity have ever abounded; where cheerfulness has at all times lent its charms to attract both young and old; and where religion has ever sanctified the active duties of the world.

In 1787, Mr. Parker, then a boy of eleven years, and who had previously enjoyed only the advantages of home education, was placed under the care of the Rev. Joseph I. Bend, then Rector of St. Peter's Church, at Perth Amboy, to pursue his classical studies. Upon the removal of that gentleman to the South, in the following year, he was transferred to the charge of a Mr. Frazer, who was Principal of a school of some repute at Amwell, in the County of Hunterdon. Here he remained until 1790, when he became a student of Columbia College, New York, and was graduated in 1793, being second in his class in point of scholarship. As he was destined for mercantile pursuits, he was placed, after leaving College, in the counting-house of Mr. John Murray, then a leading merchant in the city of New York. Here he remained until 1797, when by the death of his father, he was called home, to lighten and relieve the cares and anxieties of his widowed mother, his elder brother John having permanently established himself at New Brunswick. Thus, at the early age of twenty-one, Mr. Parker found himself suddenly charged with the management of a large landed estate, and the acknowledged head of a family, whose numerous members looked up to him for advice, assistance and support. The responsibilities with which he was thus laden, at this period of his life, exerted an influence upon the whole of his subsequent career, by inducing habits of thoughtfulness, self-reliance, firmness and independence, qualities which were among the most striking traits in his character.

The cares and labors which he had assumed, it may well be imagined, were sufficient to engross the greater part of his time and attention, and for some years, left him little leisure for public affairs. His first entrance into political life was in 1806, when he was just thirty years of age. He was elected that year a member of the House of Assembly for the County of Middlesex. This was the beginning of his legislative career, a career, destined to be a long, a useful, and a most honorable one. He was re-elected, annually, for eight successive years, from 1806 to 1814; and then, after an interval of one year, from 1815 to 1819; and again, after a retirement of eight years, he consented once more to serve in the session of 1827-8. He was a Federalist of the school of

Washington and Hamilton, and the time has come, when no man need be ashamed, that he or those whose name he bears, were members of that party. He was a Federalist, and with the single exception of the year 1812, he was always in a minority in the House of Assembly. But such was his well-known integrity, his straight-forward honesty, his peculiar capacity for business, and his manly independence, that he always exerted a commanding influence in that body. Its records teem with manifestations of his untiring industry, of his great ability, and his unswerving fidelity to the best interests of the people and the State. On almost every page, are to be found exhibitions of his active mind, of his public spirit, of his large and liberal views. One, whose attention has never been called to the subject, will be surprised to find, with how many wise and useful laws he enriched our statute book. Let me allude to a few of the most important of them; for to notice them all, would far exceed the limits assigned to this discourse.

Of the measures which originated with Mr. Parker, the earliest in point of time to which his attention was directed, and the most important and lasting in its results, was the establishment of a fund for the support of free schools. New Jersey, was at that time, far behind many of her sister States in the march of popular education. There were, no doubt, within her borders many excellent private schools, and a number of flourishing academies, but nothing whatever had been done by her, as a State, for the promotion of education. She had no system of common schools—no fund for their support. Various efforts had been made, to awaken the Legislature to a sense of the importance of the subject, and to induce them to take some steps towards remedying this deficiency. But there were serious difficulties in the way. There were prejudices to overcome, and the plea of poverty to encounter. One of these attempts was made in 1809; but while the matter was under discussion in the House of Assembly, one of the members of that body, more noted for his zeal than his discretion, adduced the example of Connecticut, and pointed to the intelligence and enterprise of her people as among the results of her common schools; whereupon a gentleman from the county of Sussex observed, that in his part of the country, whenever a Connecticut man made his appearance, every one instinctively put his hands in his pocket, for fear it might be picked, and that if such was the result of common schools, New Jersey was better without them. This, of course, brought down the house, and effectually defeated the measure proposed. In 1811, the Legislature chartered a number of State banks, and reserved to the State the right to subscribe to one-half of their capital stock. In 1812, it was determined that this right of subscrip-

tion on the part of the State should be sold, and owing mainly to the successful efforts of Mr. Parker to prevent it from being sacrificed, a very considerable sum of money was realized from the sale. The treasury being thus replenished, and the plea of poverty being no longer available, Mr. Parker thought the time had come, when something should be done for the cause of education. On the 1st of November, 1813, he introduced a resolution, appropriating fifty thousand dollars, towards a fund for the support of free schools. It did not meet with much favor, however. It was first postponed to an adjourned session, and then referred to a committee, of which he was not made the chairman, and although a report was made recommending some plan for the establishment of free schools, yet nothing effectual was done, and the money, which seemed to have been so providentially provided for this purpose, was paid to the General Government, in order to secure the reduction guaranteed to every state, that paid in advance its quota of the direct tax authorized by an act of Congress in 1814.

But not disheartened by this failure, Mr. Parker, in the session of 1816-17, revived the subject in which he felt so deep an interest, and on the 1st of February, 1817, introduced a resolution for the appointment of a committee to inquire into the expediency of creating a fund for the support of free schools in this State. The resolution was adopted, and a committee appointed, of which he was the chairman. Their action was prompt and decided. On the 5th of February, they reported a bill, entitled "an act to create a fund for the support of free schools." It passed the Assembly on the 11th,* and the Council on the following day; and thus the foundation of the School Fund in New Jersey was laid. I wish I had time to trace the history of this fund; how it has accumulated to its present amount; how its proceeds have from time to time been applied to the promotion of education; how, through its instrumentality, common schools have been established; and how it culminated at last in the creation of a Normal School, of which New Jersey may well be proud, and of an educational system, which may challenge a comparison with that of any other State in the Union. I will only say, that when the history of the great movement on behalf of popular education in our State comes to be written, the first, and the highest place in it, will be assigned to James Parker.

As early as 1789, an act was passed for the more easy partition of lands held by copartners, joint tenants and tenants in common, designed to avoid the dilatory and expensive proceedings at common law upon

* Ayes, 24; noes, 14.

writs of partition. No provision, however, was made by this act for cases, when such lands were incapable of division, or so circumstanced, that a partition could not be made without great prejudice to the owners. The consequence was, that frequent applications were made to the Legislature for the passage of private acts, authorizing the sale of such real estate, and the division of the proceeds among those who were entitled to them. These applications were very troublesome and inconvenient to the persons applying, consumed the time of the Legislature, and retarded the business of the State. They were, besides, too often passed upon without due examination, or upon an erroneous statement of facts, and thus worked great injury and injustice, particularly in the case of minor children. To remedy this evil, which was yearly increasing, Mr. Parker introduced a bill, giving to the Courts the power of ordering a sale of lands so situated, and thus obviating the necessity of special acts of the Legislature. The bill passed both houses, and became a law on the 7th of February, 1816, and still remains upon the statute book. Much litigation has been saved, and much injustice prevented, by this judicious measure.

The law, which provided for the appointment of Commissioners to take the acknowledgments or proofs of deeds, was another useful measure, which originated with Mr. Parker. This duty had before been confined to Judges and Masters in Chancery, a state of things which contributed greatly to that multiplication of Common Pleas Judges, which at one time made that Court an object of ridicule and contempt. In some of the counties, the number was so great, that the bench would not hold the half of them. They had sought the office, chiefly for the purpose of enabling them to take the acknowledgment of deeds.

By the common law, aliens were incapable of acquiring a title to real estate. They might purchase land, but it was liable at any time to be forfeited to the State, and at their death did not descend to their heirs, but escheated. This inhospitable rule of the common law prevailed in New Jersey. Mr. Parker, deeming it a relic of a barbarous age, and prejudicial to the interests of the State, desired to see it abolished; and on the 17th of January, 1817, moved the appointment of a committee "to enquire and report upon the expediency of authorizing aliens to purchase and hold real estate within this State." The committee, of which he was chairman, in a few days reported a bill to that effect, drawn by himself, which at once passed both branches of the Legislature and became a law. It has been in force ever since, and its operation has been entirely satisfactory. It has generally been supposed, that this law was designed for the special benefit of Joseph Bonaparte, the

ex-king of Spain, and to enable him to hold his estate at Bordentown without being naturalized. For, like all the Bonapartes, he seemed to have a presentiment, that his exile from France was not to be a perpetual one, but that he would one day be recalled, and the glory of the first empire revived, if not in him, at least in some one of the family. That this was the object of the law, is stated expressly in the bill in Chancery, filed by Bonaparte, against the Camden and Amboy Railroad Company, which is found in Baldwin's Reports. But such was not the case. After the bill was reported, Gen. Dickerson called upon Mr. Parker, and asked him to aid in the passage of a law for the special relief of Bonaparte. Mr. Parker showed him the printed bill which he had reported as a general law, and upon examination, it was found to be entirely adequate and satisfactory, and rendered any special act unnecessary. After the passage of the bill, Bonaparte, under the impression that it was intended for his special benefit, and to show his grateful sense of the favor thus bestowed upon him, invited all the members of the Legislature to an entertainment at his beautiful place in Bordentown. Mr. Parker, however, declined to attend, lest, by so doing, he might confirm this impression, and because he was unwilling to receive thanks for what he intended as a general law, without any particular reference to Bonaparte.

An act for the gradual abolition of slavery in New Jersey, was passed by the Legislature as early as 1804. It provided, that every child born of a slave mother, after the 4th of July 1804, should be free, but subject to service as an apprentice to the owner of the mother, to the age of twenty-four years if a male, and if a female to the age of twenty-one years. This, of course, diminished very much the value of slaves in New Jersey, and penalties were provided against sending them out of the State, unless upon a certificate of their consent, upon private examination, before two Judges of the Court of Common Pleas. In 1817, a resident of Louisiana, on his way to Virginia to purchase slaves, stopped to visit his brother at South Amboy, and having stated the object of his journey, was informed that he could buy slaves in New Jersey cheaper than in Virginia. Upon this hint he acted, and his success induced others to engage in the same profitable business. Many slaves and children born free were purchased, and their consent to go out of the State obtained, by promises of freedom in the South and other advantages; and two Judges of the Court of Common Pleas could always be found to give the required certificate. The victims were gathered at a house on the shore at South Amboy, where they were kept, until a sufficient number were collected to ship to New

Orleans. Thus, a regular slave trade between New Jersey and the Southern States was begun and carried on, notwithstanding the efforts of individuals to prevent and put an end to the infamous traffic. Mr. Parker was foreman of the Grand Jury of Middlesex County, in June, 1818, and, mainly through his exertions, a large number of indictments were found against persons engaged in these illegal proceedings. Some of these indictments were tried, but technical objections were interposed, and the existing laws were found to be very defective, so that the guilty actors were emboldened, instead of being deterred from the prosecution of their nefarious commerce. And then, too, it must be confessed, that public sentiment at that time was not very much shocked by these practices; so that, even in New Jersey, and after slavery had been abolished by law, it was found very difficult to put a stop to that abomination, so long the disgrace of our country—the domestic slave trade. But at the session of 1818-19, Mr. Parker introduced a bill prohibiting, under the severest penalties, the exportation of slaves from the State, which, being enacted into a law, put an end forever to the domestic slave trade, so far as New Jersey was concerned. We shall have occasion to see that this was not the only service he rendered to the cause of human freedom.

We have stated that Mr. Parker was a member of the House of Assembly in the session of 1827-8. This was his last year in the Legislature of the State, and he consented to serve for the purpose of aiding in the accomplishment of a work which he had long had very much at heart—the construction of a canal between the Delaware and Raritan rivers. The great importance of such a work, both in a commercial and a military point of view, had long been universally acknowledged, and repeated efforts had been made to secure its construction. In 1804, and in 1824, companies were incorporated for this purpose, but such were the hazards attending an enterprise involving so large an expenditure of money, that capitalists were unwilling to engage in the undertaking. Mr. Parker, however, thought the time had come when the Legislature might be prevailed upon to undertake it as a State work, and that they would be fully sustained by the people in so doing. Early in the session, a committee was appointed, to whom it was referred, to inquire into the expediency of constructing a canal between the tide-waters of the Delaware and Raritan. Mr. Parker was the chairman of that committee, and on the 5th of November, 1827, a report was presented by him strongly advocating the adoption of the measure. It was drawn by him, and is interesting and valuable, not only as an historical record, but as a good specimen of his remarkably clear and terse style.* The

* See note B.

report was accompanied by a bill, which passed the House of Assembly, but, by a single vote, was postponed by Council to a subsequent Legislature. It was ably advocated by Garret D. Wall, Peter D. Vroom, William Coxe and other influential members, but it encountered the opposition of those who were in favor of a railroad across the State, of the friends of the Morris Canal, and of those who, while approving of the undertaking, were unwilling to make it a State work. The canal proposed by the report was substantially the same with that which, has since been constructed. It was to be sixty feet wide and eight feet deep, and to be supplied with water from the Delaware, by means of a feeder, which was also to be a navigable communication. The act of 1804, did not contemplate making use of the water of the Delaware, but relied altogether upon the capacity of the streams along the route—the Assanpink, Stony-brook, Millstone and Raritan. But although disappointed in the immediate object he had in view, Mr. Parker had the satisfaction, in a few years, of witnessing the actual construction of a canal, essentially the same as that which he had proposed; and while cheerfully acknowledging, that it was to the indomitable energy and perseverance of the late Commodore Stockton that we were indebted for that great work, he also acknowledged, that it was wiser and better that it should have been undertaken by a company, rather than by the State. On the first organization of the Delaware and Raritan Canal Company, he was elected a director, and was annually re-elected until his death, and for many years he was the President of the joint board of the Delaware and Raritan Canal, and the Camden and Amboy Railroad Companies.

Besides the subjects already alluded to, Mr. Parker, during his legislative career, suggested and advocated, sometimes successfully and sometimes unsuccessfully, many other measures, some of which were greatly in advance of public sentiment at that period. He reported bills for the suppression of intemperance, out of which have grown provisions of law now in force. He was active in aiding internal improvements, by the laying out and improvement of roads and the construction of turn-pikes. He offered resolutions for surveying and mapping the State, and for the encouragement of manufactures—the latter being a favorite subject with him, and some of his plans for the purpose being very bold and liberal. As early as 1817, he suggested an act by which habitual drunkards should be placed under the care and control of legal guardians, almost identical with the present law on that subject. About the same time, he endeavored to enlist the State in the cause of African Colonization. In 1818, he advocated the propriety of memorializing Con-

gress to abolish that domestic slave-trade which continued so long to be the opprobrium of our country, and which shocked public sensibility more than almost any feature in our system of slavery. The creation of a fund for internal improvements, to be made up of taxes upon banks and other corporations; the prevention of unnecessary costs in legal proceedings; aid to Princeton College, for which, to its shame be it said, New Jersey has never contributed a dollar; the investment of the School Fund in advance; the establishment of a State fund for internal navigation; our oyster fisheries, and the rights of the State and her citizens therein, were also subjects to which his attention was directed, and in behalf of which he sought to invoke legislative action. Among Mr. Parker's associates in the Legislature were Mahlon Dickerson, John Frelinghuysen, Lewis Condict, William S. Pennington, Samuel Pennington, Silas Condit, General Colfax, Garret D. Wall, Peter D. Vroom, Lucius Q. C. Elmer and Jonathan Dayton. To have been distinguished, as he was, among men like these, implied ability of no ordinary kind.

I cannot close this review of Mr. Parker's services in the Legislature, without alluding to a notable instance of his independence and integrity as a politician, which occurred in the session of 1812. The declaration of war against Great Britain, made by Congress on the 18th of June, 1812, was in opposition to the views and opinions, not only of the Federalists, but of a considerable portion of the Democratic party. By acting together, under the name of the Peace party, they had succeeded in electing a majority of the members of the Legislature, of which Mr. Parker was one. Mr. Madison's term of office was to expire on the 4th of March, 1813, and an election for President and Vice-President was about to take place. In New Jersey, the Electors were to be chosen by general ticket, under a law which had been in force for a number of years, and the election was to be held one week after the day appointed for the meeting of the Legislature. Both parties had nominated Electors. Mr. Madison was the Democratic candidate, and the Peace party were in favor of DeWitt Clinton. It had been charged by the Democrats, prior to the election for members of the Legislature, that it was the intention of the Peace party, in case they had a majority, to repeal the law for voting by general ticket, and to choose the Electors themselves. This design had been distinctly disavowed by Mr. Parker, who had received assurances from leading men of the party that no such purpose was contemplated. In fact, there had been a convention of Federalists from all parts of the country, held in the city of New York a short time before, and they had come to the conclusion that it would not be good policy to attempt such a change of the law in New Jersey. But

notwithstanding all this, no sooner had the Legislature assembled, and the Peace party found themselves in a majority, than a bill was at once introduced, repealing the law for a vote of the people by general ticket, which speedily passed both houses, and the Electoral candidates of the Peace party were chosen by the Legislature. There was barely time, by sending expresses into all the counties, to stop the election, and in some precincts they arrived too late, and the election had actually taken place. Such was the strength developed for Clinton, that it was thought with the vote of New Jersey he would be elected, and the temptation was too strong to be resisted. This was a game, however, that could be played by both parties, and in Vermont, where the Democrats had the majority in the Legislature, they did the same thing—assumed the choice of electors to themselves. We are apt to talk of the good old times, and of the virtue of our fathers, but historic truth compels us to say, that in the early days of the republic, political parties were quite as unscrupulous, if not a little more so, than they are now. There was one man, however, whose integrity was proof against all temptation, and who could not be induced by any considerations of party advantage to violate his sense of duty and honor. That man was James Parker. He opposed the bill strenuously, and voted against it in all its stages. But he stood alone—"among the faithless, faithful only he." No doubt he was thought by his political associates to be very impracticable. But he had his reward. The leaders of the movement had the mortification of finding that the vote of New Jersey did not elect Mr. Clinton, and they frankly acknowledged to Mr. Parker that his course had been right.

The services rendered by Mr. Parker in adjusting the long pending controversy between New York and New Jersey, touching the territorial limits and the jurisdiction of the two states, were so important, that they claim more than a passing notice, although the whole subject has lately undergone so much discussion, that the members of the Society must by this time be quite familiar with it.* New York, it is known, not satisfied with having appropriated to herself the whole of Staten Island, claimed also exclusive jurisdiction over all the waters lying between the two States. This unjust and arrogant pretension was asserted in the most offensive and vexatious manner. As soon as improvements began to be made at Paulus Hook, now Jersey City, by the construction of wharves and the erection of buildings, the proprietors were harrassed by suits brought in New York, against masters of vessels employed in carrying building materials and other articles, for

* See "Proceedings" of the Society, vol. x, p. 90.

not complying with the laws of New York regulating their inspection and measurement. Parties would be arrested on the wharves, and on board of vessels, and taken to the other side of the Hudson for trial. This state of things of course was not to be quietly submitted to. The attention of the Legislature was called to the subject by Mr. Parker, in 1806, the first year of his election to the House of Assembly, and at his instance, five Commissioners on the part of New Jersey were appointed to meet a like number of Commissioners from New York, to discuss and adjust the question of jurisdiction. Mr. Parker was placed on this Commission, and with him were associated Aaron Ogden, William S. Pennington, Alexander C. McWhorter and Lewis Condict. Commissioners were also appointed by New York. They met at New-ark, and carried on their discussion for some time by correspondence, but afterwards by a personal conference. But as the Commissioners from New York demanded everything, and would concede nothing, no result was arrived at, and the Commissioners from New Jersey so reported to the next Legislature. Whereupon, an act was passed on the 3d of December, 1807, reciting that, "Whereas, the meetings of the Commissioners lately appointed on the part of this State, and of the State of New York, respectively, have failed to produce an amicable adjustment of the eastern boundary line of this State; and whereas, it has now become highly expedient to bring the existing controversy respecting the said boundary line to a legal conclusion and determination, and in the meantime to preserve the lawful jurisdiction of the State, free from all interruption and usurpation;" therefore, it was enacted, that the boundary line of the county of Bergen should be declared to be the middle of the waters adjoining the said county; and that if any person, not authorized by this State or the United States, should attempt to execute any legal process within the State of New Jersey, such person should be deemed guilty of a misdemeanor, and punished by fine and imprisonment. This sounds very much like Mr. Parker, and I have no doubt the act was drawn by him. In 1818, New Jersey proposed the appointment of Commissioners, to prepare a statement of facts relative to the controversy, to be submitted to the Supreme Court of the United States for its decision. To this proposition New York did not only not respond, but she would not deign to notice it. In 1824, New Jersey again authorized the appointment of Commissioners, for an amicable settlement of the matter in dispute, but no corresponding act was passed by the Legislature of New York. In 1826, an attempt was made to enforce the claims of New York, by the arrest of the Master of a vessel while lying in the harbor of Perth Amboy, for some infraction of an ordinance of the city of New York relative to

passengers. He was carried to that city, and imprisoned; but shortly afterwards, the deputy sheriff of Richmond County, (Staten Island), who had served the process, was himself arrested by Mr. Parker, in person, as Mayor of Perth Amboy, sent to New Brunswick jail, and subsequently indicted for the offence.

This was calculated to bring matters to a crisis, and more willingness was exhibited by New York to have the difficulty arranged; so that, in 1827, another joint commission was agreed upon, New Jersey being again represented by Mr. Parker, with whom were associated, Richard Stockton, John Rutherford, Theodore Frelinghuysen and Lewis Q. C. Elmer. The Commissioners first met at Newark, but afterwards adjourned to Albany, and while in session at that city, discussing terms of compromise, an act was passed by one of the branches of the New-York Legislature, declaring the boundary of New York to extend, "along the *west shore*, at low water-mark of the Hudson River, of the Kill Van Kull, of the sound between Staten Island and New Jersey, and of Raritan Bay to Sandy Hook." Nothing of course could have been in worse taste, or more insulting to New Jersey, and it indicates the arrogant and contemptuous spirit, by which New York was animated in the whole course of the controversy. It is needless to say, that this Commission, like the former one, terminated fruitlessly.

All hope of an amicable arrangement being thus excluded, New Jersey resolved to assert her rights in a different way. One of the arguments addressed to the small States, to induce them to adopt the Federal Constitution, had been, that they might hope to find in the General Government a shield and protection against the encroachments of their more powerful neighbors. New Jersey must have felt the full force of this argument, and that without the strong arm of the nation to rely upon, she might one day see New York advancing her frontiers to the Delaware, and Pennsylvania claiming the Ocean as her natural boundary. But that Constitution, which she so unanimously adopted, had provided for a supreme national tribunal, to which was given express jurisdiction over "controversies between two or more States;" and it is an interesting fact in this connection, that in the first draft of the Constitution, there was superadded to this clause, the following words, "*except such as shall regard territory and jurisdiction*,"—which exception was afterwards stricken out. To this tribunal therefore, New Jersey now determined to appeal.

A suit was commenced in the Supreme Court of the United States, in February, 1829.* Legal process was duly served upon the proper au-

* See "Proceedings of the Society, vol. x, pp. 108-110, *note*."

thorities of the State of New York, but she declined to appear. She wrapped herself up in the mantle of State sovereignty. Her Attorney-General, however, had the condescension to write a letter to the Chief Justice, and Associate Justices of the Supreme Court, informing them that the opinion was entertained, on the part of the State of New York, that the Court could exercise no jurisdiction in such a case. The Court, however, with John Marshall at its head, decided that they could, and that unless the State of New York appeared, the case would be heard *ex parte*. New York thereupon consented to another appointment of Commissioners. Mr. Parker, with Theodore Frelinghuysen and Lucius Q. C. Elmer, represented New Jersey, and Benjamin F. Butler, Peter A. Jay, and Henry Seymour, New York. You know the result. They came to an agreement, fixing the boundary line between the two States, which was confirmed by their respective Legislatures, and approved by the Congress of the United States.

In these protracted negotiations, Mr. Parker took an important and active part. His familiar acquaintance with the records of the Council of Proprietors of East Jersey—having filled the office of Register to the Board for many years—and his knowledge of the various points connected with proprietary grants and titles, gave great weight to his views and opinions. Although, for the sake of peace, he united in recommending an adjustment upon the basis proposed, yet he always insisted, that New Jersey had been unjustly dealt with, and unfairly treated; and when, in after years, New York was desirous of locating upon our shores her Marine Hospitals, he took decided ground against the measure, saying emphatically, upon one occasion, in a paper prepared for the Historical Society: "Our rights, valid in themselves and by public law, are now at last acknowledged, and it behooves us to maintain them unimpaired. A lodgment by our ambitious neighbor, for any purpose, and upon any pretense, however specious, must be denied. It would be the first step towards further encroachment. Let New Jersey see that it be not taken.*"

In conversing upon this topic, during the very last year of his life, he thus playfully but pertinently enforced his views upon the subject. "Our situation," said he, "is like that of a boy, I once saw engaged in a fight with another much larger than himself, but whom he had managed to get down, and upon whom he sat, repressing his struggles to arise. I thought this was hardly fair, and I said to him, 'you young rascal, give the fellow a chance; why dont you let him up?' 'Let him up,' said he. 'Oh! sir, if you knew what trouble I had to get him

* See "Proceedings," vol. viii., p. 106.

down, and how hard it is to keep him down, you would not ask me to let him up again.'” “I could not help thinking the young rogue was right,” said Mr. Parker, “and I often think of it, when these cunning New Yorkers come here, saying we had the best of the treaty, and that it was our duty to let them have a place upon, what they call, our barren shore, on which to erect their quarantine buildings; any one who knew what trouble we had to get a treaty from them, would never ask us to let go our hold upon it.”

While thus constantly engaged in the public affairs of the State, Mr. Parker had little to do with National politics. The Federal party in New Jersey, as indeed in almost every other State, was in a hopeless minority. This was not owing, as is sometimes supposed, to their opposition to the war with Great Britain. That war was always unpopular. The Federalists to a man were opposed to it. So also was a considerable portion of the Democratic party. Had the question been submitted to a popular vote, no doubt a large majority of the American people would have declared against it; not that we had not been wronged, both by Great Britain and France, but that war was not the appropriate remedy, and because we were wholly unprepared for it. The declaration of war infused new life into the Federal party—State after State were won back to it—and it became stronger than it had been for years before. Had the war lasted much longer, it would in all probability have broken down the Democratic party. It was making peace that saved them. This, with the halo thrown around the closing scenes of the war by the victory at New Orleans, caused to be forgotten, the precipitancy with which it had been declared, and the humiliating disasters which had marked its progress. That which brought odium on the Federal party, and prevented it from ever raising its head again, was, that it was held responsible for the doings of the Hartford Convention. The proceedings of that Convention were thought to savor of disunion, and no party can hope for popular favor or support, that allows itself to be placed in an attitude of hostility to the Union. When the Union is menaced, and the country is called to its rescue, a chord is struck, to which the great heart of the people will always beat responsive.

It was not until Gen. Jackson became a candidate for the Presidency, that the leaders of the Federal party in New Jersey again became conspicuous in the political arena. They disliked John Quincy Adams, and they had reason to do so. He had deserted his party, and persecuted his former political associates. They were drawn towards Gen. Jackson, by the recollection of his celebrated letter to Mr. Monroe. He had written to Mr. Monroe, on his accession to the Presidency, advising

him to disregard old party lines, and invite some of the leading Federalists to share in his administration—advice, by the bye, which Mr. Monroe never followed, notwithstanding his inaugural address abounded with congratulations on the decline of party spirit, and protestations of his earnest desire to promote union and harmony. However, his administration was called the “era of good feeling;” and well it might be, for there was scarcely a measure recommended by him to Congress which the Federalists had not uniformly espoused, and which the democrats, under the lead of Jefferson, had not systematically opposed—an efficient navy, the fortification of our coasts and harbors, internal improvements, and the protection of our manufactures. Thus the Federalists, although excluded from office, had the satisfaction of witnessing the triumph of almost every principal for which they had been contending. In fact, the lines of demarcation, which had separated the two great parties of the country, seem to have been in a great measure obliterated, and every one was at liberty to form new political associations, without dishonor, and without subjecting himself to the charge of inconsistency.

In New Jersey, most of the leading Federalists espoused the cause of Gen. Jackson, and none more warmly than Mr. Parker. In thus connecting himself with a party, which claimed to be the Democratic party, and which continued to be called by that name, Mr. Parker might have made the same excuse, which his friend, Garret D. Wall, did, on the floor of the Senate, when charged with the sin of having been a Federalist. “Here sir,” said he, “in the presence of the American people, I avow that I was a Federalist, and acted with that party zealously and actively, so long as their flag waved in New Jersey. Standing here, as it were, with the eyes of the immortal Father of his country—the head and leader of the party to which I belonged—intently fixed upon me, I should be unworthy of my present honorable position, if I hesitated to make the avowal. Sir, it is an honor to any one to have been an humble follower of the purest and most unsullied Democrat that ever lived. Who, sir, were the leaders of the New Jersey Federalists? For, sir, I hold myself answerable only for their sins and my own. I reject all imputative sins. They were the men, whose Democracy was tried by the fires of the Revolution, who had assisted in that glorious struggle in the field and in the cabinet, and in forming the Constitutions which now support our liberties. They were talented, high-minded, and honorable, and above all, they were eminently American and patriotic.” And he might have assigned the same reasons for

supporting Gen. Jackson, notwithstanding his want of those qualities which are usually thought necessary for a statesman, that John Randolph did. "I," said he, "not only consider the want of what is called learning, not to be a disqualification for the commander-in-chief, in civil or military life, but I do consider the possession of too much learning, to be of most mischievous consequences to such a character, who is to draw from the cabinet of his own sagacious mind, and to make the learning of others, or whatever other qualities they may possess, subservient to his more enlarged and vigorous views. Such a man was Cromwell; such a man was Washington; not learned, but wise. Knowledge and wisdom, as one of our delightful poets sings :

"Knowledge and wisdom, far from being one,
Have oft-times no connection : knowledge dwells
In hearts replete with thoughts of other men ;
Wisdom, in minds attentive to their own.
Knowledge is proud that he has learned so much ;
Wisdom is humble that he knows no more.
Books, are not seldom, talismans and spells,
By which the magic arts of shrewder wits
Holds the unthinking multitude enchained."

Mr. Parker was a Presidential Elector in 1824, and cordially gave his vote for Gen. Jackson. But no candidate having a majority of the whole number of votes, the election was thrown into the House of Representatives, and resulted in favor of Mr. Adams. Gen. Jackson was re-elected in 1828, but New Jersey did not then vote for him.

In 1829, Mr. Parker was appointed Collector of the port of Perth Amboy, which at that time had considerable foreign trade; and while faithfully discharging his duties, signalized himself by unraveling the frauds and exposing the defalcations of his immediate predecessor in office. But he was soon called to a new and higher sphere of duty.

The distinguished Federalists of New Jersey, who supported Gen. Jackson, certainly could not complain that their services were unrequited. They bore away a large share of the honors of the new Democratic party, and found little difficulty in obtaining absolution from all the sins of Federalism. Mr. Parker was elected a member of the House of Representatives in 1832, and again in 1834, serving through both terms with great fidelity and usefulness. He possessed the very qualities which were calculated to make him a most valuable member of Congress. He had industry, integrity, independence, business talents of a high order, and was not given to making long speeches. These

are the men, by whom the work of Congress is really done, although showy talkers too often get the credit of it. He was especially useful in the committee-room. He was careful in scrutinizing all claims against the Government, and with Mr. Whittlesey of Ohio, he became a sort of guardian of the Treasury. He generally voted with the administration; but he was very much in the habit of thinking for himself, and never could become a slave to any party.

The great contest on the right of petition arose, while Mr. Parker was a member of Congress, under the championship of the intrepid John Quincy Adams—who lived to atone for all his past political transgressions, and to earn for himself the title, which was universally bestowed upon him, of “the old man eloquent.” One of the earliest debates upon this subject, occurred in February, 1835, on the occasion of a motion, to print a memorial asking for the abolition of slavery in the District of Columbia. After his particular friend, Mr. McKinly of Alabama, had spoken in opposition to it, Mr. Parker arose and spoke briefly as was his wont. As serving to show the views he entertained, and the course which he pursued in reference to this exciting question of the day, I give his remarks.

“I am at a loss,” said he, “to perceive how the mere reading and printing of the memorial can produce unpleasant feelings in this House, or, in the Nation at large; nor is it, in my opinion, calculated to throw a firebrand into the slave-holding States. It appears to me more like a respectful address to the House, calling upon them to exercise the privilege, conferred upon them by the constitution, of legislating for the District of Columbia, in removing what the petitioners consider a great and existing grievance; and if it is intended or wished to prevent any debate, it can easily be obviated by withdrawing the question of reconsideration. What is the state of the subject? What has been done heretofore? And, how does the matter now stand? A portion of the people of this country, considering the evil a national one—as one that ought not to be tolerated by a free people, respectfully ask this House to take measures to redress it. Petitions of this nature have been referred to the committee entrusted with the management of the affairs of the District, not only the present session, but at the last and several preceding sessions. Now the prayer of the petitioners is either right or wrong, and their reasons either forcible or conclusive, or otherwise. Let then the committee on the District of Columbia make a report, and tell us what they think ought to be done, and give us their reasons, so that the House may judge of the question. I am not preju-

diced one way or the other, but I think an answer to the prayer of the petitioners should be given, for it is neither unlawful nor unrighteous.

"The argument of my honorable friend from Alabama, that Congress has no right to interfere, I cannot assent to so readily; but let that gentleman, who is so competent to give his reasons, state them on this subject. For myself, in accordance with the wishes and opinions of my constituents, and the persons presenting this memorial, I shall feel it my bounden duty to vote to put the petition on the files of this House, and I shall continue to urge it with all the zeal of which I am capable; at the same time, with due consideration for the feelings, prejudices, interests and rights of others, and which they are entitled to receive at my hands. This I shall do, until the committee on the District of Columbia, or some select committee of the House answer the question, and tell us, at the same time giving their reasons, whether Congress has a right to legislate on this subject or not, and until the House concur in that decision."

This seems to us now very obvious, but at that time, a man subjected himself to the charge of being an abolitionist for giving utterance to such sentiments. But Mr. Parker cared little for this. He lived to see the curse of slavery removed, not only from the District of Columbia, but throughout the length and breadth of our fair land; so that it may be said of America now, what was once said of England:

"Slaves cannot breathe in England; if their lungs
Receive our air, that moment they are free."

But it cost us the pangs of a cruel war to bring about this result. It seems to be a mysterious law of Providence, that there can be no redemption from guilt but by blood.

We sometimes hear it said, oh! that the South had listened to the voice of reason. Oh! that she had been content to leave slavery where the Constitution had left it—in the States where it then existed—without seeking to extend it into territories consecrated to freedom. But this was impossible. Evil is always aggressive. There is, there always must be, an irrepressible conflict between freedom and slavery. From time to time, this conflict was averted by compromises. These compromises were always in favor of slavery. But it is well that they were made. Had this conflict arisen, when Missouri applied for admission as a State—had it occurred in 1850—the consequence would have been a dissolution of the Union. This was admitted by all. The idea of coercing the South, upon either of those occasions, was never for a mo-

ment entertained. The country was not prepared for it. It was not until the Missouri Compromise was repealed—it was not until Abraham Lincoln was elected President of the United States—it was not until the first gun was discharged at Fort Sumter—that the heart of the American people was fired for the conflict. Then it came. God had so ordained it. Oceans of blood were shed. Millions of treasure were expended. But who will now say, that this blood and treasure were spent in vain. Slavery is dead. America is free—"redeemed, regenerated, and disenthralled, by the irresistible genius of universal emancipation."

Mr. Parker retired from Congress on the fourth of March, 1837, the day that Martin Van Buren was inaugurated as President. He had liked Gen. Jackson, and was liked by him. There was something in the General's character with which Mr. Parker could sympathize. He was honest himself, but was too often swayed by dishonest advisers. He loved the Union, and was willing enough to put down, by a strong hand, nullification in South Carolina. He would have been glad to have hung John C. Calhoun. He always regretted that he had not done so. But he allowed Georgia to set at defiance the judgments of the Supreme Court. He allowed missionaries among the Cherokees, to be imprisoned, under a State law, which that high tribunal had pronounced unconstitutional. He inaugurated a system, expressed by the words, "to the victors belong the spoils," which has done more than almost anything else, to demoralize our politics, but which is destined, as we trust, to receive its overthrow from another hero, no less renowned in war than he. But, notwithstanding these defects in his character, there was a gallantry in his bearing, a high-toned independence, a frankness, a simplicity, and a straightforwardness, which might well have had its fascination for a man like Mr. Parker.

But towards Martin Van Buren he never warmed. He always distrusted him. The truth is, there was nothing in common between them. Their characters were the very antipodes of each other. The consequence was, that when Gen. Harrison was nominated for the Presidency in 1840, in opposition to Mr. Van Buren, Mr. Parker supported him, and ever afterwards acted with the Whig party—voting successively for Clay, Taylor and Scott. Nor was there any inconsistency in this; for the Whigs were unquestionably the legitimate successors of that party, to which, in early life, he had given his allegiance, and from the principles of which he never in fact departed. So, too, when the Republican party was formed, his well-known and life-long sentiments upon slavery naturally led him to cast the weight of his influence in its favor. He

was nominated for a Presidential Elector in 1856 by that party, but their ticket was defeated.

When Mr. Parker retired from Congress, he was sixty-one years of age; but his health was good, his natural force was not abated, and all his faculties of mind and body were unimpaired. Nothing but his grey hairs betokened the approach of old age. He betook himself thenceforth to the pursuits of private life, though ever ready, when occasion required, to serve his State or his country. He was called forth from his retirement in 1844, by being elected a member of the convention for the formation of a new Constitution for New Jersey. Of this body, composed of the most distinguished men of the State, he was an active, influential and useful member. He was chairman of the committee on the Bill of Rights, and many of the provisions of that well-considered part of the Constitution were the productions of his pen. He took an especial interest in that clause which relates to public schools, and it gave him sincere pleasure to see a permanent provision for their support imbedded in the fundamental law. The school fund, as we have seen, was his creation, and he watched over it with a paternal regard. To guard against the possibility of its being ever diverted from the great object to which it was consecrated, it was provided, at his instance, that it should "not be competent for the Legislature to borrow, appropriate, or use the said fund or any part thereof, for any other purpose, under any pretence whatever."

Besides the positions of honor and trust, to which Mr. Parker was called in the course of his life, and to which allusion has already been made, he was for a long time one of the Trustees of Rutgers College, and gave to that institution the land at New Brunswick on which its buildings are erected. He was also a Trustee of the College of New Jersey at Princeton, from 1825 to 1829. He was one of the original managers of the State Lunatic Asylum, and took a deep interest in the organization of that institution. He was elected a Vice-President of the New Jersey Historical Society at its first formation, and upon the death of Chief-Justice Hornblower he became its President. He was seldom absent from its meetings, and always evinced a lively interest in its proceedings. He was a vestryman of St. Peter's Church, at Perth Amboy, almost from his majority, and for many years before his death was its senior warden. He usually represented that Parish in the Protestant Episcopal Convention of New Jersey. He was sincerely attached to his church, and an earnest worker in its behalf, but he had not a particle of bigotry or intolerance. In later years, his great age precluded him from taking any active part in public affairs. The death

of his wife in 1863, the departure of many others of those he had known and loved, and the natural infirmities of old age, gradually weighed him down; yet his mind continued clear and strong, and he took a lively interest in the great events which were agitating the country. He died on the first of April, 1868, not from disease, not by a violent stroke from the hand of death, but simply of old age—by the gradual wearing out of his constitution—and retaining to the last the possession of all his faculties. When the angel who was sent to comfort Adam upon his expulsion from Paradise, had lifted the veil of futurity, and given him a sight of death in its most repulsive form—death from sudden violence:

“I yield it just, said Adam, and submit.
 But is there yet no other way, besides
 These painful passages, how we may come
 To death, and mix with our connatural dust?
 There is, said Michael, if thou well observe
 The rule of *not too much*, by temperance taught
 In what thou eat'st and drink'st, seeking from thence
 Due nourishment, not glutinous delight,
 Till many years over thy head return:
 So may'st thou live, till like ripe fruit thou drop
 Into thy mother's lap, or be with ease
 Gathered, not harshly plucked, for death mature.
 This is old age.”

Such was the old age of Mr. Parker—serene and beautiful. He literally dropped like ripe fruit into his mother's lap. Death, with him, was disarmed of all its terrors. He had fought bravely the battle of life—he knew in whom he trusted—and he willingly resigned his body to the dust, and his spirit to the God who gave it. He had always acted upon the principle:

“*Summum nec metuas diem, nec optes.*”
 “Nor love thy life, nor hate; but what thou liv'st
 Live well, how long or short permit to heaven.”

His remains were interred in the churchyard of St. Peters—that church which he had loved so well, and where he had worshiped so long—a lovely spot, from which you look out to sea across the broad bay—and there he was laid by the side of his parents and his family.

Born in 1776, and dying in 1868, what an eventful period does his life embrace! The American Revolution, with its varying fortunes and glorious results—the acknowledgment of our independence as a

nation—the adoption of the Federal Constitution—the French Revolution, which convulsed the old world as ours did the new, and drew all Europe into its vortex—the consulate and empire of Napoleon—the battle of Waterloo—the restoration of the Bourbons to the throne of France, their final expulsion, and the second empire—the vast political and social changes in Europe—the opening of China and Japan to the commerce of the world—the marvellous growth of our own country—its rapid expansion from the Atlantic to the Pacific—the war for the Union, ending in the destruction of slavery—the wonders of modern science, the steam engine, the railway, the locomotive, the telegraph—were there ever so many stirring events crowded within the lifetime of one man? It was his good fortune to be permitted to live in such an interesting period of the world's history, and with a vigorous intellect, unbroken health, and unblemished honor, to engage in its active duties for more than three score years and ten. And it is our grateful task to recount his faithful labors and valuable services to his State and country, during the greater part of the first century of their existence.

The sketch which I have given of the life of Mr. Parker, will have indicated the chief traits in his character. But let us endeavor to collect these scattered lineaments, and exhibit them in one connected view. They will be found to form a beautiful and harmonious whole.

In the first place, he was emphatically an honest man. This was indeed the leading trait in his character. It was impressed upon his countenance, it breathed in every word that he spoke, it shone out in every act of his life. He was called and known by the title of "honest James Parker." Henry A. Wise, of Virginia, upon the floor of Congress, pronounced him to be "the honestest man he ever knew there." I do not mean merely that he was an honorable man—that he was a truthful man—that he was just in all his dealings, and faithful to all his obligations; he was all this, but he was something more. He was honest in the sense in which Shakespeare says, "To be honest, as the world goes, is to be one man picked out of ten thousand." His sense of honesty was like that sense of justice, implied in the words, "*fiat justitia ruat coelum*"—or that sense of honor, so beautifully described by one of our poets, when he says of the man who carried a native, unborrowed, self-sustained rectitude in his bosom, that "his eye, even turned on empty space, beamed keen with honor." He was incapable of being dishonest. He was honest at all times, in all things, to all men. He was honest even in politics. He had intellectual as well as moral honesty. He was sometimes almost provokingly honest. He

thought for himself—he formed his own opinions—and he would express them—sometimes perhaps bluntly, sometimes unseasonably, and without due regard to the views and feelings of others. But he meant no offence, and could not believe that he gave any. He was not offended himself when others differed from him. It was, in fact, a part of his nature, and he could not help it. There are those who do not like to differ from others, and when open opinions are expressed in which they do not concur, yield nevertheless a sort of tacit acquiescence. They have no love for what Cowper calls, “a duel in the form of a debate.” It was not so with him. When a proposition was advanced to which he could not assent, instead of letting it pass unquestioned by, he was very apt to challenge it. Hence arose, what was thought to be a defect in his character, something that looked like a spirit of contradiction. But it was the natural result of his independence of character, and the depth and sincerity of his convictions.

Another very striking trait in his character, was his constant desire to be useful. It was not public spirit only. Many, who appear to have a great deal of what is called public spirit, are often neglectful of private affairs, and family claims. Nor did he seek to do good only upon a large scale, or by some shining act of benevolence. His usefulness pervaded every sphere of action, from the humblest to the highest. His first duty was to his family, and this he performed with the most heroic self-devotion. When just entering upon life, and with business habits and talents by which he might have earned wealth in mercantile pursuits, the death of his father imposed upon him, as we have seen, the task of extricating from embarrassment a large landed estate, and providing for the support of a widowed mother, and three unmarried sisters. To this he at once applied himself, and gave to it many of the best years of his life. He abandoned all toil for himself, and labored only to make those, thus committed to his care, comfortable and happy. His next duty was to the town in which Providence had cast his lot. It was not a place of much importance. It had not realized the fond hopes of its founders. It had not become, what they thought it was destined to be, a great seat of commerce. But it was endeared to him by many tender and hallowed associations. It had been the home of his ancestors for many generations. And, above all, its people were his neighbors, and therefore objects of his interest and care. He was Mayor of the city for many years, and was always ready to serve her in any capacity in which he could be useful. His State then claimed his services, and we have seen with what fidelity they were rendered. His

long career in the legislature was one continued series of acts of usefulness. Instead of studying to advance his own interests, his only desire seemed to be, that he might in every possible way promote the interests and welfare of his native State. He was then called into the councils of the Nation, and he obeyed the call, with no other purpose than to make himself useful. Thus the circle of his usefulness was continually expanding, and his long life was spent in doing good. He was always devising something for the benefit of others. He valued life, only as it gave him opportunities of being useful.

Another quality which distinguished him, was his charity. He was charitable both in word and deed. He never spoke harshly or unkindly of others, no matter how much they might differ from him in opinion or action. Everything like gossip or talebearing excited his aversion. He never indulged in it himself, and he always rebuked it in others. He was eminently the friend of the poor, giving them employment when they were able to work, and relieving them when they were not. He not only ministered to their wants and necessities, but he was their friend, their adviser, their helper. Nor did their place of birth make any difference. The Irish laboring classes in Amboy were among his most sincere mourners, and will always bless his memory.

He had a generous hospitality, untrammelled by restraint or ceremony. He was simple in his tastes, plain in his dress—giving preference always to goods of American manufacture—and did not attach much importance to mere matters of form and etiquette. He was abstemious in eating and drinking—eschewed tobacco in every form—and indulged very sparingly in the use of liquors of every kind—enforcing both by precept and example the strictest temperance. This, with a fine constitution, and daily exercise in the open air, will account for his long life and green old age.

He was twice married. His first wife, and the mother of his children, was Penelope, daughter of Anthony Butler, a West India merchant living at Perth Amboy. She died in 1823. His second wife was Catharine Morris, daughter of Col. Samuel Ogden, of Newark, and sister of the late David B. Ogden, of New York. Of his domestic life, I cannot perhaps give a better idea, than by presenting a picture of it, drawn by one who knew him well, and loved him dearly. "The affection which subsisted between his wife and himself, was the most beautiful picture of wedded love ever presented to my eyes. It never could have been exceeded—such anxious thought by each for the other—such uneasiness when either left the other for ever so short a time—such evident

delight in each other's society. He had been fortunate indeed in his matrimonial selections. In his youth he married one distinguished for beauty, a perpetual happy cheerful gaiety, and peculiar affectionateness. When God took her from him, and four years had demonstrated the need of a mother to his children, he chose a wife very different—by no means so personally attractive, but of strong mind, exceedingly charitable to the poor, perfectly devoted to him, and admirably adapted to his character in all things."

Mr. Parker's intellectual qualities were of a high order, and would have conducted him to eminence in any profession he might have chosen. He had an active mind, a clear head, quick perception, sound judgment, and a great deal of strong common sense. He was peculiarly fitted for the profession of the law. He had that essential quality which is called "a legal apprehension." His friend Richard Stockton, whom he greatly respected and admired, advised him to adopt that profession, and was in the habit of saying, that if in regard to any matter he wanted to know what would be held law, he desired to state his case to James Parker. Had he followed this advice, he would no doubt have won for himself distinction and renown. But these were not the cherished objects of his life. His highest ambition, if ambition it might be called, was to be useful to others, to do good in his day and generation. And in this he was successful. Some may say, he was too honest to have been a lawyer; but had he pursued that profession, he would only have furnished another illustration, of what the bar of New Jersey has so often demonstrated, that the highest professional skill is perfectly consistent with the purest integrity.

The New Jersey Historical Society has been fortunate in its first two Presidents—Joseph C. Hornblower and James Parker—and I esteem it both an honor and a happiness, that in the case of both of them, I have been permitted to portray their characters and recount their virtues.

NOTE A.

The Reverend WILLIAM SKINNER, the maternal grandfather of Mr. Parker, was a MacGregor, and among those of the clan proscribed after the rebellion of 1715, having taken an active part in the restoratory struggles of the Stuart family. Obligated to leave Scotland after the battle of Preston Pans, in which he was wounded, and prevented from bearing the name of his clan, he assumed that of a friend in Edinburgh, from whom he received favor and protection. As William Skinner he left England for Holland, and subsequently, by way of Antigna, came to Philadelphia, where for some years he was engaged in teaching, having received a superior education. He subsequently returned to England, and was there ordained by the Bishop of London, and in 1721 was appointed missionary to Perth Amboy, from the "Society for Propagating the Gospel in Foreign Parts," and entered upon his duties in 1723. He was twice married. His first wife was a daughter of Christopher Billop, of Staten Island, the widow of the Rev. Mr. Brook, one of the Society's Missionaries, who had been stationed at Elizabethtown. His second wife, and the mother of his children, was the youngest daughter of Stephanus Van Cortlandt, of New York. Mr. Parker's mother was their only daughter.

On the paternal side, Mr. Parker was descended from ELISHA PARKER, who became a resident of Woodbridge about the year 1675, removing thither from Staten Island, who, previous to his death, which occurred in 1717, filled several local offices of importance, was a member of Assembly from the County of Middlesex, and a member of the Council of Gov. Hunter. His son John, grandfather of Mr. Parker, married Janet, daughter of Dr. John Johnstone and Eupham Scot, whose companionship amid all the trials and sorrows of the voyage in 1685, on board of the "Henry and Francis,"—the "May-flower" of New Jersey—led to a closer union after their arrival. Thus, through both parents, did Mr. Parker trace his descent from a Scotch ancestry.

NOTE B.

The following is the document referred to in the text:

REPORT OF THE COMMITTEE ON THE DELAWARE AND RARITAN CANAL.

The Committee to whom it was referred to inquire into the expediency of constructing a Canal between the tide waters of the Delaware and Raritan, beg leave to report:

That the general welfare of the United States requires a communication by water through the State of New Jersey, connecting the navigable waters of the Delaware and Raritan, as one link of the great chain of internal navigation, which is to connect all the Atlantic States and part of the Western States with each other. This great line of communication is necessary for the purposes of trade and intercourse at all times, and most essential to our protection and defence in time of war. Canals are made and in progress on the one side of New Jersey, forming, with the bays and rivers with which they communicate, an internal navigation as far as South Caro-

lina; while, on the other side, the sounds, bays and rivers of the eastern and northern sections of these United States, the Erie and Champlain canals in the State of New York, and the State Canal now making in the State of Ohio, form, together, a series of inland navigation of many thousand miles in extent, interrupted only by the short space in New Jersey, between the Delaware and Raritan. That this part of the communication ought to be made, to complete the whole, seems to the committee too evident to require an argument.

The State of New Jersey, it is conceived, ought not to refuse to do her part, and to contribute her aid in finishing this great work; which, while it will facilitate the intercourse between the different States, and enable them to supply their mutual wants, will so essentially contribute "to form a more perfect union—provide for the common defence—promote the general welfare—and thereby secure the blessings of liberty to ourselves and our posterity."

If the general welfare requires the construction of the Canal, it is no less the interest of New Jersey to undertake its execution. By its location in such way, as that while it answers the general purposes of national intercourse, it may also be rendered subservient to a future system of internal improvement by the State, the Canal will contribute to the prosperity of New Jersey—in the facility of communication by which lumber, coal and all other articles from the west may be transported to the eastern part of the State, affording essential supplies as well to the private wants as to the manufacturing interest of that section—securing to each portion of the State a safe, speedy and cheap conveyance to either of the great markets of New York and Philadelphia, now only open respectively to each side—by the spring, which opportunity always affords to the exertions of the industrious and enterprising—by securing to our own citizens the benefits enjoyed in other States where internal improvements have taken the start of us—and, by giving them an opportunity to improve their condition at home, without emigrating to more favored States, as has been too much the case in New Jersey, to the great and manifest injury and loss of our native State. We invariably find that manufactures, trade and agriculture flourish most in those States where the government has led the way in public improvement—where the spirit of those in authority has drawn forth the resources of the State to contribute to its internal improvement and given the lead to the exertions and enterprize of its inhabitants.

The State of New Jersey ought to make the Canal. Limited in territory, few in numbers compared with others of the States, we ought to improve the advantages of our situation as the surest and best means of increasing our importance in wealth and population. We have been too long inactive and silent spectators of the growth and prosperity of our neighbors, while our sons have been obliged to leave their homes and seek their fortunes in other quarters, and to contribute their lives and industry to increase the prosperity of distant regions.

To stimulate us in undertaking this important work, we would remark that the situation of New Jersey is, in this respect, highly favorable. On one side, New York, with rapid strides, has progressed in the opening a communication by water to the great inland seas of the west, reaching the extensive and fertile districts of Ohio and Michigan, already filled by a hardy, industrious and enterprising people, and the boundless regions on the lakes hereafter to be subdued and cultivated by the surplus population of the East. In a northern direction, her canals reach to Canada—and the inland sea between Long Island and the shores of New England, with the rivers of that section, form extended communications by water, all centering in the great emporium of commerce at New York, affording advantages unequalled by any city in this western world. The rapid increase of the city of New York, in wealth and numbers, and the general prosperity of the State, prove the wisdom of her policy, if a doubt could have existed on this head.

On the other side, Pennsylvania, emulating the liberal policy of her sister State, has risen in her strength, and by a system of internal improvements, commenced

the construction of canals in every direction through her fertile and extensive domain—calculated to draw to her capital at Philadelphia, the wealth and produce of her own State and of the neighboring States. The effect of this policy cannot be doubted. The solid capital of Philadelphia—the eminence she has already attained, fostered and encouraged by the enlightened policy of the State, ensure an increase of her wealth, trade and importance. Under the present policy of Pennsylvania, she may be second, but only second to her more favored rival.

The right of way, by internal communication, between these great cities, in which are condensed the trade, the manufactures and the wealth, of more than half the United States, is in the State of New Jersey. The only safe and certain route, the cheapest communication between the millions of people on each side, is in our hands. The numberless articles, the interchange of which will be required for the supply of their mutual wants, convenience and luxury, must and will, in a great measure, pass through a canal that will connect the Delaware and Raritan. The sea, it is true, will afford a way by which a part may be carried, but certainty in time, safety in transporting, with a reasonable freight, will always ensure a preference to canal routes, over the uncertainty and danger of a sea voyage.

The ground between the rivers is most favorable for a canal. An elevation of little more than fifty feet above the tide is the summit; and a canal along the margin of the Delaware, supplied from the redundant waters of that river, will serve as a feeder to the main canal, affording at the same time a communication for the passage of boats, more than sufficient to pay the expense of its construction.

In an estimate made by two of our most experienced engineers, from actual survey in 1825, it is stated that the expense of the main canal across the State, 60 feet wide and 8 feet deep, including lockage, bridges, aqueducts, &c.,

will be..... \$362,293

And of the feeder, 40 feet wide and 5 feet deep..... 226,032

\$1, 88,325

Add for contingencies, 5 per cent..... 54,416

\$1,142,741

affording a canal of 60 miles for little more than one million of dollars, which in a few years must be the chief means of communication for many millions of people.

If it were necessary to limit the expense of construction, to a less sum, by lessening the capacity of the canal, a proportionate reduction of the cost might be made. On this head the committee conceive themselves not called upon to give an opinion further than to remark, that in a work of such importance, nothing should be omitted to make the canal of dimensions sufficient to secure the greatest benefit, and to provide for transportation over it far greater than is now generally contemplated. If the progress of improvement should continue a few years longer, in the ratio of the past, the canal now estimated may be too small for the transportation upon its waters.

It is well ascertained that the funds necessary for the completion of the canal, may be procured by loan, at an interest not exceeding 5 per cent. per annum, by pledging the faith of the State and the income of the canal, for the payment of the interest and reimbursement of the principal. A loan at this rate, the principal unredeemable for a period of years, it is believed, would command a premium at least equal to the interest accruing for the first two years; within which time the canal can be completed.

There is no doubt that the General Government would contribute by loan or otherwise, if desired, a great part of the requisite means on terms highly favorable to the State, and it will be at our option to accept either as the terms may appear most favorable.

It remains to enquire how far it is probable that the tolls to be received upon the completion of the canal will pay the necessary repairs and interest on the

loan. On this head there are no data which can be relied on with arithmetical accuracy. Let us imagine, however, that instead of a neck of land separating the two rivers, a communication by water capable of carrying vessels of burden had been formed by nature, and afforded a safe and certain inland passage between the two great cities, coming into competition with the dangerous and uncertain voyage by sea of three times the distance. Can we doubt that in such a case the whole trade and intercourse between these great emporiums of commerce, would have followed the short, safe, and certain way, and that the sea for this purpose would have been nearly abandoned. Let then this internal communication be opened by the construction of a canal of proper dimensions, and it needs no demonstration to convince us that the great quantity of merchandize passing between New York and Philadelphia, and to the North and South, would find its way along the canal. The canal would carry to New York, and the eastern border of New Jersey, the coal of the Lehigh, the Schuylkill, and the Susquehanna. The lumber of the Delaware and Susquehanna would pass to the east, to supply that essential article, which, notwithstanding the vast quantity from the canals of the Hudson, is still enhanced in price. In fine, the Delaware and Raritan Canal will be the short tunnel through which, at no distant day, will be carried the trade and intercourse of States on each side, containing a population exceeding the whole population of the United States at the adoption of the Constitution.

The Committee then have no doubt that the tolls of the canal will more than compensate the repairs and interest, and, in a few years, repay the principal of the loan contracted for its execution.

They make this calculation without adverting to the possibility of war, in which, however reluctantly and contrary to our policy, we may hereafter be engaged. In such event, while the advantages of the canal would be most important, the revenue would be immense. Had a canal through New Jersey existed during the last war, it would have saved millions to the General Government in money, and more in time transporting munitions of war to the different States—and the tolls would more than have paid for its construction.

The Committee do not stand alone in their opinion of the probable benefits arising from the canal. Its importance, the necessity of making it, and the belief that its revenue would in a few years, pay the principal and interest of the moneys expended, have been acknowledged by the commissioners, who at different times, under the direction of the State, have examined the route proposed.

It is no small consideration in the minds of the Committee, that the main canal across the State will afford opportunity for other canals, branching from it in various directions, and extending to many parts of the State, where our citizens only await an occasion to improve their means of transportation, and thereby add to the wealth and resources of the State.

The short time before the termination of the present sitting, does not allow the Committee to add more. Holding the opinion that it is expedient for the State to construct the canal, they submit herewith a bill to that effect.

By order of the Committee.

JAMES PARKER.

NOVEMBER 5, 1827.

PROCEEDINGS

OF THE

New Jersey Historical Society.

SECOND SERIES.

VOL. I.

1869.

No. 4.

NEWARK, *May 20th*, 1869.

THE Society met in their rooms, according to the By-Laws, at 11:30 A. M., the Hon. RICHARD S. FIELD, President, in the Chair.

After the reading of the minutes of the last meeting by the Recording Secretary, a report of the correspondence since January, was made by the Corresponding Secretary, who laid before the Society letters from Rev. Dr. R. K. Rodgers, acknowledging his election as one of the Vice-Presidents, and regretting his unavoidable absence; from Messrs. L. F. Randolph, Augustus Pruyn, Barton F. Thorn, Daniel Price, Andrew Kirkpatrick, George Haskins and Francis M. Tichenor, accepting membership; from Historical Societies of Maryland, Maine, Iowa, Minnesota and Georgia, Smithsonian Institution, Numismatic and Antiquarian Society of Philadelphia, and New England Historic and Genealogical Society, acknowledging the receipt of or soliciting the publications of the Society; from Mr. Wm. Duane of Philadelphia, transmitting some specimens of early New Jersey Currency; from Mr. S. H. Coutts of Perth Amboy, with an ancient manuscript; and from Rev. Joseph T. Tuttle, D. D. of Indiana, in relation to his paper on the Early History of Morris County, and regretting his inability to be present.

The Treasurer reported a balance in the Treasury of \$554.27, and made a verbal statement of the general condition of the finances. At his suggestion it was

Resolved, That the Treasurer and the Chairman of the Executive Committee be authorized, as a committee, to make such arrangements for the safe keeping of the invested funds of the Society, as they may think advisable, and to make such changes in the character of the securities as to them may seem best for the interest of the Society.

Messrs. Martin R. Dennis and Peter S. Duryee, were appointed to audit the accounts of the Treasurer prior to the next January meeting.

The Librarian submitted his report and additions to the Library since the last meeting, which will be found on a subsequent page.

Dr. S. H. PENNINGTON, from the Executive Committee, stated verbally, that nothing had occurred calling for a report from the Committee. No action had been taken under the resolution adopted at the January meeting, authorizing co-operation with any other literary institution in the erection of a fire-proof building.

The Committee on the Library submitted the following Report :

"The Society has already been made aware, through the Report of the Librarian, of the increase of the Library since the last meeting, the only additions made being from donations, for however desirable it may be to secure for ourselves, as opportunities offer, every work illustrating our history, the members need not to be told that our Treasury is not in a condition to warrant the procurement of books by purchase. But charged as they are with the especial duty of watching over the interests of the Library, and sensible that it involves no little responsibility, the Committee feel impelled—as we have no Finance Committee upon whom it would more properly devolve—to call the attention of the Society to this want of pecuniary resources. It is always an unwelcome topic, but one which the welfare of the Society, and, especially the due increase of its Library, require should be presented for the consideration of those from whom alone relief may be looked for.

"It is through its Library and its publications, that the usefulness of the Society is mainly demonstrated, and the relations of the two are such that they ought to be mutually beneficial, the materials for history in the Library facilitating the issue of the publications, and the sale of the publications facilitating the acquisition of additional materials; and the Committee, with a view to the advantages that will accrue therefrom, would urge upon the members generally the propriety of securing for their own use copies of all the Society's "Collections," and "Proceedings," the large amount of interesting matter relating to the history of the State which they contain not being obtainable elsewhere. Nor is the supply of materials for further volumes, leading to the more perfect elucidation of that history exhausted. Among the manuscript treasures we have amassed, there are many papers of great value which should be printed, and among them special reference may be made to those of FERDINAND JOHN PARIS, the eminent counsel of the East Jersey Proprietors in England, that were generously deposited with us some

years ago by the late Miss Rutherford. Mr. Paris was the legal adviser and advocate of the Proprietors for many years about the middle of the last century, and being a man of great method the papers relating to their interests were preserved by him with the utmost care, and have come into our possession as arranged and indexed by himself. They comprise originals of letters received, copies of letters sent, and the official records and documents connected with the different questions which so long agitated the province, relating to the boundary lines between New Jersey and New York and between East and West Jersey, as well as to the riots and commotions in Essex County growing out of the asserted fullness of the Indian title to the lands. The collection is of that character that it may be safely said the history of New Jersey cannot be properly written without consulting it, and as it should be the aim of every Historical Society to place such original materials beyond the reach of accident, and render them as accessible as possible, the committee would respectfully recommend to the society the propriety of authorizing the Committee on Publications to have prepared for publication another volume of "Collections," to contain the papers of Mr. Paris, with such notes and illustrative matter as in their judgment will conduce to its value, and to issue the same as soon as the condition of the treasury may warrant it.

"During the winter, the Treasurer having made it convenient to be in the rooms several hours of every week-day, an opportunity has been offered to members and others, desirous of using the Library, to do so without the Society's incurring the expense of an attendant: but the Committee feel it is incumbent on them to reiterate their views heretofore expressed, as to the necessity for the appointment of an assistant to the Librarian at the earliest practicable period. The Library would derive much benefit from the presence of such an officer, and the members should feel sufficient pride in the institution to furnish the means for his proper compensation.

"As is already known to the Society, the rent of the rooms and other incidental expenses of the Library have been borne for some years by private subscriptions from only a few of the members, and consequently the sum realized has never been sufficient for all the purposes the Library Fund was intended to meet, among them being the compensation of a regular attendant. Located as the Library was in Newark by the votes of the Newark members, they should feel bound to prove the propriety of the measure by fully supporting it, now that it is here and attained to a magnitude that renders it not only creditable to the Society, but also a feature of the city, of which as citizens they should be proud.

The Committee ask therefore that all the members who can do so without inconvenience, particularly those residing in Newark, should contribute to this fund, for one or more years as they may deem advisable. Subscriptions for five years have generally been sought, but those for a shorter time will be welcome.

"The subscriptions now on the list expire as follows :

"Expiring in 1869, \$45; expiring April 1, 1870, \$345; expiring April 1, 1873, \$160; total, \$550.

"As the rent alone amounts to \$450, it will be seen that, if entire punctuality is observed the balance left for other expenses is very small, and that with next April most of the subscriptions will cease."

The Committee closed by urging the transmission of new subscriptions to the Treasurer, and the extension of subscriptions about to expire.

The Committee on Nominations reported favorably on the names of thirteen gentlemen reported to them, and they were duly elected members, and new nominations were received.

Mr. WHITEHEAD, in furtherance of the suggestions of the Committee on the Library, made some remarks upon the interest and value of the papers of Mr. Paris, and submitted the following resolution, which was adopted :

Resolved, That the Committee on Publications be authorized and requested to take the necessary steps towards the publication at as early a day as possible, of another volume of "Collections," to contain the papers of Ferdinand John Paris, now in possession of the Society, with such additional illustrative matter as they may deem necessary.

Mr. VOORHEES of Middlebush, presented in behalf of the Rev. E. T. Corwin, his historical discourse at the "Centennial Anniversary of the Reformed Dutch Church at Millstone" in 1866; and from himself a Manuscript Diary of the events at the Siege of Gibraltar, from February to June, 1727—a beautiful specimen of chirography, but of the authorship of which he was ignorant, it having been in his possession more than thirty years.

Mr. C. C. HAVEN presented in behalf of Miss Montgomery of Philadelphia, the sword of General Wm. R. Montgomery, who commanded the First New Jersey Regiment in the late war.

Mr. WHITEHEAD then read a paper on "Some of the circumstances connected with the settlement of Elizabethtown," being an examination of the claims of those who asserted the superiority of the Indian over the Proprietary titles. On concluding,

Mr. JOSEPH P. BRADLEY—commenting upon a portion of the paper which referred subsequent riots and disorders, among the descendants of the Newark settlers, to the example of the Elizabethtown people—pointed out what he conceived to be different in the circumstances attending the settlement of the two places. There were certainly two sides to the question, and he argued against the propriety of requiring the Newark settlers to patent their lands purchased from the Indians, and read the affidavit of Robert Treat, (Bill in Chancery, p. 118,) detailing the manner in which that purchase was made. Although some of them did eventually take out patents, it was under compulsion. The grant from the Indians was obtained by the license and request of the proprietors, and was entered at large on their records.

Mr. WHITEHEAD in reply, remarked briefly, that the Indian deed to the Elizabethtown people was also recorded, and that he conceived the same obligations rested upon the settlers of both places, both having been settled under the "Concessions" of Berkley and Carteret, a fact which the settlers of Newark recognized at first by tendering the quit-rents due under that instrument, although averse to taking out the patents for their lands, a procedure which was no less obligatory.

Mr. BRADLEY rejoined, that the settlers of Elizabeth claimed adverse to the proprietors, whilst those of Newark professedly claimed under a purchase made with their express license and assent; and argued that such a prolonged contest on the part of the settlers must have had some plausible foundation to rest upon. The very purpose of the settlers of Newark was to found a town and colony, over which they could exercise entire control, so far as the admission of new members was concerned. Hence they must have understood that their purchase from the Indians, with the license which they had, gave them title to the territory.

On motion of the Hon. WM. B. KINNEY, the thanks of the Society were presented to Mr. Whitehead for his paper, and he was requested to place a copy at the disposal of the Committee on Publications.

The Society then took a recess, and partook of a collation spread in one of the rooms.

On reassembling, the Corresponding Secretary read a paper by the Rev. JOSEPH F. TUTTLE, D. D., "On the Early History of Morris Co., New Jersey."

Mr. WHITEHEAD moved that the thanks of the Society be presented to the Rev. Dr. Tuttle, for his valuable contribution to our local annals, and that he be requested to furnish a copy for publication.

This was seconded by Col. R. S. Swords, with some complimentary remarks, and after further comments by Rev. Dr. Maclean, Messrs. Hayes, Haven, Whitehead, Baldwin, Jackson and Mills, was adopted.

On motion of Col. Swords, it was

Resolved, That the Executive Committee be requested to make arrangements, if practicable, for holding a meeting of the Society in New Brunswick, during the month of September next.

Adjourned.

Resident Members.

ELECTED MAY 20, 1869.

Rev. George B. Bacon, *Orange*.

James Buchanan, *Trenton*.

James B. Coleman, M. D., *Trenton*.

Rev. E. T. Corwin, *Millstone*.

Rev. Samuel Sharp Griffith, *Trenton*.

Edmund L. Joy, *Newark*.

Cortlandt L. Parker, *Newark*.

Lewis V. F. Randolph, *Newark*.

Thomas Sealy, *Newark*.

Rev. Richard S. Steele, *New Brunswick*.

H. J. Smith, *Trenton*.

Martin Voorhees, *Princeton*.

Andrew J. Drake, *Newark*.

Selections from Correspondence and Papers,
LAI'D BEFORE THE SOCIETY, MAY 20, 1869.

FROM REV. JOSEPH F. TUTTLE, D.D.

WABASH COLLEGE,
CRAWFORDSVILLE, INDIANA, MAY, 1869. }

W. A. WHITEHEAD, ESQ., *Cor. Sec. N. J. His. So.*

MY DEAR SIR:—Permit me through you to greet the members of the Society of which it was once my privilege to be a member, and to assure them that the report of their meetings are read by me with the most lively satisfaction. As members of this Society ours has been a “work of faith and a labor of love” that cannot be fully appreciated except by those who have sought to rescue from swift coming forgetfulness the facts, the names, the incidents which belong to local history. The stock market has no quotations by which to determine the price or the value of this labor, which pays dividends in the pleasure caused by an unselfish enthusiasm in pursuits involving large expenditures of time, patience and strength—and I may add of money also—a pleasure which is above price to him who knows its worth.

Let me ask the Society's indulgence in making a few statements, which are in a sense personal, but which are made as bearing on the general designs which we as local historians, are supposed to keep before our minds. When I began my pastorate in Rockaway, in November, 1847, many very aged people were still living there, many of whom preserved their mental powers to an unusual degree. It soon became to me a pleasure, often indulged in, to visit these venerable representatives of our Revolutionary period, and not only lead them to talk about what they remembered so well, but to record the substance of their statements. Some of the pleasantest hours of my life outside the pastoral work, were spent in hearing and recording these reminiscences, many of which have been given to the public through the columns of the Newark Daily Advertiser, and other newspapers.

In addition to this it was my wont to spend an occasional day of leisure in the Library of your Society, and among the old records in the State Department at Trenton. Now and then a visit was made to the rich collections of the New York Historical Society, the old Franklin

Library in Philadelphia and other Libraries, to find and record in my scrap book facts concerning Morris County history. Not a few journeys have I made to get hold of old documents in the keeping of gentlemen who were willing to give them up to one who valued them. The "Erskine Papers," which were deposited in your Library seven years ago, cost me a ride of nearly forty miles on a very cold day, to the residence of the late Hon. Jacob M. Ryerson of Ringwood. Many fruitless journeys have been made to garrets in Morris County, in the hope of finding some precious old papers. In several instances my vexation has been extreme, to find that either not long before my visit a wagon load of old papers belonging to some Revolutionary official had gone to the paper mill, or been consigned to the flames, by some tidy housewife who was afraid the mice might find a harbor among them! For instance in one of my expeditions I found that large bundles of letters, accounts, receipts, and other documents of Mr Joseph Lewis, of Baskenridge, who was a Deputy of Quarter-Master General Furman, had been regarded as a nuisance by an over nice lady and banished to a corner of the barn, where they were soon destroyed. In another case, the most of the papers pertaining to the management of Lord Stirling's Furnace had been consigned to destruction, because the mice loved them more than their truly estimable and intelligent owners did. In still another case a quantity of papers and books of the same sort had been sent to the paper mill which, more savage than the foolish monks of the dark ages, is not content merely to partially *erase* the old words, leaving the *palimpsest*, but reduces the most valuable records to a hopeless *pulp*. In this way irreparable damage has been done to our local history. But some documents and facts were rescued, and from old garrets, old books, old newspapers, old deeds, old wills and old people, I have collected many facts which for the present are buried in several manuscript volumes, in such thorough confusion as to resemble the land of which the patriarch speaks, "*a land of darkness without any order, and where the light is as darkness.*"

And yet these new books full of old things are very pleasant to me. Often for the sheer pleasure of it I take them down and thumb their leaves and enjoy the incidents they seek to perpetuate. Let me add that if my own intentions are not changed, these books of Morris County and Jersey scraps will find their way at some future time into your Library.

This egotism would hardly be sufferable but for the good design of it, to provoke, especially your younger members, to constitute themselves into a vigilance committee to find and preserve in good shape, docu-

ments, newspapers, pamphlets, letters, books, deeds, wills, traditions written and unwritten, and to consign them to the care of that fire-proof building which the enterprising men of New Jersey are to build for your Library and Rooms.

Very truly yours,
JOSEPH F. TUTTLE.

Donations

ANNOUNCED MAY 20, 1869.

From the Georgia Historical Society—Historical sketch of Tomo Chi Chi, Mico of the Mimocraws. By Charles C. Jones. 1868.

From the Maine Historical Society—Collections of the Maine Historical Society. Second series. Documentary History. Discovery.

From the Minnesota Historical Society—Annual Report of the Society for the year 1868.

From the Essex Historical Institute—Collections of the Institute. Second Series. Part 2. Vol. 1; and Bulletin of the Essex Historical Institute, No. 1. 1869.

From the New England Historic Genealogical Society—New England Historical and Genealogical Register, No. 2. Vol. XXIII.

From the Wisconsin Historical Society—Memorial to Congress on Water Communication between the Mississippi and the Lakes. Prepared under direction of Lucius Fairchild, Governor of Wisconsin.

From the Iowa Historical Society—Annals of Iowa. January, 1869.

From Mrs. E. O. Smith—United States Magazine. 1854, 1855. Edited by Seba Smith and Family. Two vols.

Way Down East, or Portraits of Yankee Life. By Seba Smith.

My Thirty Years out of the Senate. By Major Jack Downing.

New Elements of Geometry. By Seba Smith.

Miscellaneous Notices from Newspapers concerning Mr. Smith's works, with an Engraved Portrait of the original Jack Downing. (Seba Smith.)

From H. H. Boone—History of the Insurrection in the Four Western Counties of Pennsylvania in the year 1794. By Wm. Findley. Member of H. R. of U. S. A.

The National Calendar, and annals of the United States for 1824. Vol. V. By Peter Force.

A Short Typographical Description of his Majesty's Province of Upper Canada in North America; a Provincial Gazeteer annexed. By Wm. Smythe, Esq.

Observations in the North: Eight Months in Prison and on Parole. By Edward A. Pollard. Richmond, 1865.

The Freeman's Journal and Philadelphia Daily Mercantile Advertiser, from Sept. 1, 1825 to August 31, 1826—bound.

Maps to Marshall's Life of Washinton.

From Rev. J. F. Tuttle, D. D.—The Colonial History of Vincennes, under the French, British and American Governments; by Hon. John Law; read before the Vincennes Historical and Antiquarian Society, Feb. 22d, 1839, with additional Notes and Illustrations. 1858.

From Hon. Wm. H. Tuthill—Notice of, and Addresses at the Tuthill Family Gathering held at New Suffolk, L. I., August 28, 1867.

From M. B. Scott—Antiquity of the name of Scott, by Martin B. Scott; read before the Western Reserve Historical Society.

From James S. Gamble—An Account of the Weather and Diseases of South Carolina. By Lionel Chambers, M. D., of Charleston, S. C. 2 Vols. 1776.

From Hon. F. T. Frelinghuysen—Smithsonian Report for 1867.

From Martin R. Dennis—Geology of New Jersey, with Maps. By authority of the Legislature. G. H. Cook, State Geologist. 1868.

From David Ripley—Third and Fourth Annual Reports of the New Jersey State Reform School for Juvenile Offenders. 1867–1868.

From Rev. John Hall, D. D.—The First Number of the "Federalist," Trenton, July 9, 1798; and "Supplement" to the same "The Federalist Extraordinary." July 25, 1798.

The New Jersey and Pennsylvania Almanac for 1795. The Astronomical Calculations by Benjamin Barmiker, an African 59 years of age, born in Baltimore; father an African.

Public Good, being an examination of the claims of Virginia to the vacant Western Territory. Philadelphia. 1780.

Letter to the Abbe Raynal on the affairs of North America. Philadelphia. 1782. By Tho. Paine, M. A. of the University of Pennsylvania.

The Abbe Raynals' "Revolution of America." Second Edition, 1782.

Trial of Dr. Wm. Little for assault and Battery on his Lawful Wife, Mrs. Jane Little, a Black Lady. N. Y. 1809.

On the Nature and Reasonableness of Fasting. A Discourse by Vice President Sam. Stanhope Smith, at Princeton, Jan. 6, 1795.

A Discourse on the Subjects of National Gratitude; Sam. S. Smith, D. D. Feb. 19, 1795. Copyright secured.

A Few Remarks on the Present and Past State of Religion in the United States. 1803.

A Friendly Reply to "A Few Remarks," by John Ffrith, a brother by Gospel Ties. 1803.

Laws and Regulations of the Trenton Library Company, with Catalogue. 1798.

Five Letters addressed to the Yeomanry of the United States, containing some observations on the dangerous schemes of Gov. Duer and Mr. Secretary Hamilton, to establish National Manufactories. By a Farmer. Philadelphia, 1792.

Eulogium on the Character of General Washington, late P. U. S., before the Pennsylvania Society of the Cincinnati, Feb. 22, 1800. By Major Wm. Jackson, Aid-de-Camp to the P. U. S., and Secretary General of the Cincinnati.

Oration on the Sublime Virtues of Gen. Geo. Washington, pronounced at the Old South Meeting House in Boston, Feb. 8, 1800. By Fisher Ames.

An Eulogium on the Character of Gen. Geo. Washington, late P. U. S., delivered at Bridgetown, Cumberland Co., N. J., January, 30, 1800. By Jonathan Elmer, M. D.

From Asher Taylor—Notes of Conversations with a Volunteer Officer in the U. S. Navy, on the passage of the Forts below New Orleans, April 24, 1862, and other points of Service on the Mississippi during that year. For private circulation. 1868.

Recollections of the Early Days of the National Guard, comprising the Prominent Events in the History of the Famous Seventh Regiment, N. Y. Militia. By an Ex-Orderly Sergeant. 1868.

From Albert H. Hoyt—Samual Burham's Memoir of John Albion Andrews, Late President N. E. Hist. Gen. Society. Andrew M. Haines' Original Papers relating to Samuel Haines and his descendants.

From Thomas T. Kinney, Esq.—An Address of Henry Bergh, Esq., 19th of Sept., 1867, before the Putnam Agricultural Society.

Our Form of Government and the Problems of the Future. By A. E. Kraeger.

Notes on Polytechnic or Scientific Schools, in the United States; their Nature, Position, Aims and Wants. By Edward Warren, C. E.

A Review of the Mining, Agricultural, and Commercial Interests of the Pacific States for the year 1866. Compiled by John H. Carmany.

The Resources of Missouri. By Sylvester Waterhouse. 1867.

Kansas, and Country beyond, on the line of the Union Pacific Railway, Eastern Division, from the Missouri to the Pacific Ocean. By Josiah Copley, with a Map. 1867.

The Silver Mines of Nevada. 1865. With a map by E. W. Perry.

Register of Commissioned Officers of the New Jersey Volunteers in the service of the United States. Ad. Gen. Office, Trenton, July 1, 1863.

Roll of Honor. Names of Soldiers who died in Defence of the American Union, interred in New York, New Jersey, Pennsylvania and other States, Utah Territory, and on the Pacific Coast. Gov. Print, Washington, 1866-1867. 3 volumes.

A List of the Union Soldiers buried at Andersonville, copied from the original record in the Surgeon's Office at Andersonville.

The Nassau Quarterly. Vol. 1, No. 3. March, 1865. 30 Magazines, &c.

From Capt. E. J. Drake—Carey's Bayonet Exercise and Skirmisher's Drill. Richmond Printed. Found at Newbern, N. C. A Cartridge Box, taken from the body of a rebel soldier at Newbern, N. C., March 14, 1862, and a Confederate Envelope for Letters. The sword of a rebel officer, which, after breaking it himself, he gave to Capt. Drake of 9th N. J. Volunteers, at Roanoke Island, Feb. 8, 1862.

A REVIEW
OF SOME OF THE
CIRCUMSTANCES CONNECTED WITH THE
SETTLEMENT OF ELIZABETH, N.J.

BY
W. A. WHITEHEAD.

READ BEFORE THE SOCIETY,
May 20th, 1869.



REVIEW.

The student of our Provincial and Colonial history meets at every stage of his researches with indications, more or less distinct, of the existence of an active and influential party, varying in power at different periods, but at all times arranged in opposition to the interest of the Proprietors who held under grants from the Crown of England, at first, both the government and the soil, and subsequently the soil only.

From the settlement of Elizabethtown, in 1665, down to the war which separated the Colonies from Great Britain, this party is seen, sometimes controlling, always shaping or modifying public measures and exercising a potent influence over the social relations of the people, particularly in the eastern portion of the Province; and it is somewhat remarkable that such an ever present element in our early history, meriting especial notice, should not have received long ago, at the hands of some one of our associates, a thorough examination.

With no intention of attempting to supercede any such extended and critical review, I shall aim in this paper at a simple presentation of the circumstances leading to the formation of this party, with the view of arriving, if possible, at some sound conclusion as to its character, aims and effects.

I am prompted to do this by the fact that a recent contributor to our local annals, in a work deserving high commendation for many of its features,* has stated in his preface that he was "constrained to differ * * in respect to the merits of the conflict between the Proprietors and the people," from the views expressed in the "History of East Jersey under the Proprietary Governments"—which the Society, more than twenty years ago, honored me by publishing as the first volume of their "Collections." Considering it due to the Society to correct any erroneous impressions that volume may have conveyed, I have carefully re-

* History of Elizabeth, New Jersey, including the Early History of Union County, by Rev. Edwin F. Hatfield, D.D.

viewed the grounds then taken, and would now present my reasons for continuing to hold unchanged the position assumed therein. Let me therefore ask the attention of the Society to a brief exposition of the events out of which this "conflict" grew, as they are now susceptible of elucidation from records and traditions; premising, that during the last hundred years very little original matter has been added to the stores of the historian, whence to derive any new facts or illustrations; almost every important circumstance on both sides having been narrated in that remarkable Bill in Chancery drawn in 1746 by James Alexander, of New Jersey, and Joseph Murray, of New York; or in the answer thereto, emanating from William Livingston, of New Jersey, and William Smith, Jr., of New York; to both of which all writers on our history are more or less indebted. Both the Bill and answer, however, call for considerable study, to relieve the truths they embody from the obscurity thrown around them by legal technicalities, or the peculiar presentation of facts which the skillful management of the suit rendered necessary or advisable.

The circumstances leading to the separation of New Jersey from New York are so well known as to call for no extended recital. James, Duke of York, having received from his brother Charles, on the 12th March, 1664, a grant for all the lands lying between the Connecticut River and Delaware Bay, despatched two armed vessels in April of that year to eject the Dutch then in possession at New Amsterdam. Colonel Richard Nicolls, in charge of the expedition, was authorized to assume the government of the Tract when conquered; and so confident was the Duke of a favorable result, that while Nicolls was yet at sea, on the 23d and 24th of June, by deeds of lease and release, he transferred to Lords Berkley and Carteret that portion of his extensive domain now known as New Jersey. It seems that Nicolls was not formally notified of this fact until November 28th,* and two or three weeks more probably elapsed before the information reached him † In the meanwhile, in consequence of an application made on September 25th by John Bailey, Daniel Denton, Thomas Bennydick, Nathaniel Denton, John Foster and Luke Watson, of Jamaica, Long Island, he on the 30th of the same month granted to them, according to their request, "liberty to purchase" and settle a parcel of land to improve their labor upon, on the river "called Arthur Cull Bay." This purchase was made on the 28th October, a deed being obtained from the three Sagamores (one only, however, signing the instrument), conveying to Bailey, Denton and Wat-

* Grants and Concessions, p. 21.

† N. Y. Col. Docts. iii, p. 105.

son "their Associates, their Heirs, and Executors," the tract between the Raritan and the first river setting westward out of Arthur Cull Bay, "running westward into the country, twice the length that it is broad," the grantors stipulating "to keep them in the Enjoyment of the said Lands from all Expulsion and Incumbrances whatsoever may arise, of the said Lands, *by any Person or Persons, by any Reason of any Title had or grown (given ?) before the Date of these Presents;*" a guarantee, referring probably to a prior deed given by the same Indian thirteen years previously, to another party for the same tract, raising at the outset a question of title, which, whatever of interest it may have in itself, it is not necessary to discuss in this connection.*

On the 2d December Gov. Nicolls, granted to Bailey and Watson, (two of the purchasers of this Indian title) John Baker and John Ogden, his deed of confirmation or Patent. "To have and to hold the said Lands and appurtenances to the s^d Capt. John Baker, John Ogden, John Bailey and Luke Watson and their Associates, their heirs Exec^s", *ad-min*" and assigns forever. *Rendering and paying yearly unto his Royal Highness The Duke of Yorke or his assigns, a certain Rent according To the customary Rate of ye Country for New Plantations, and Doing and p^rforming such acts and Things as shall be appointed by his said Royal Highness or his Deputy.*"† &c.

The Lords Proprietors do not appear to have taken any active measures for the occupancy of their province for some months, waiting, probably, for certain intelligence of the success of the expedition under Nicolls, and other advices, but on the 10th February, 1665, they appointed Philip Carteret their Governor, and on the same day issued their so-called "Concessions and Agreements," regulating the manner in which the territory should be settled; the provisions more particularly affecting the matters under review being in substance as follows :

All the lands were to be taken up by *warrant* from the Governor, were to be *surveyed* by the Surveyor General, and *patented* by the Governor and Council.—No quit-rents were payable until the 25th March 1670, and thereafter annually, a "half penny of lawful money of Eng-land for every of the said acres" was to be paid to the proprietors.

Early in August, 1665, Governor Carteret arrived in the waters of "Arthur Cull Bay" and found on its borders the pioneers of the Jamaica emigrants, numbering, according to the most reliable statements, not more than four families, constituting the nucleus of the future Eliza-

* Elizabethtown Bill in Chancery, p. 5—Answer p. 8. Letter from a Gentleman of New Brunswick, p. 2, &c. E. J. Records B, 181.

† Elizabethtown Bill in Chancery, p. 26.

bethtown. And thus were the representatives of two parties, whose conflicting interests were to disturb for a century the harmony that might otherwise have prevailed, brought for the first time in contact, but not in collision; the differences were an after growth.* Let some consideration be now given to the character of their respective titles to the soil.

To understand aright the events of any historical period—to appreciate fully the relations existing between the Governors and the governed, and their respective rights and obligations, it is certainly advisable to realize as clearly as possible the peculiarities of the time as developed in the prevailing principles of law and government and the social condition of the people. The more perfect that realization, the more readily will the true position of affairs be perceived. These would seem to be axioms scarcely needing to be stated, but to a disregard of them may be mainly attributed the different opinions that have been entertained respecting the circumstances we are considering. To canvass the acts of individuals or nations in 1664, by the light which more than two hundred years of human progress has thrown upon intricate questions of moral and social science, is as judicious, as will be the attempt of the historian two hundred years hence to reconcile the state of things which we may safely conclude will then have resulted from progressive civilization, with that existing not long since throughout a large portion of our country, from the legal slavery that then prevailed. But such has been the course of writers upon this subject. The doings of the seventeenth century have been judged by the maxims of the nineteenth.

“It is a fundamental principle of English Law,” says Kent,† “derived from the maxims of the feudal tenures, that the King was the “original proprietor, or Lord paramount of all the land in the kingdom, “and the true and only source of title,” and not only England, but all the European nations that established colonies in America, acting upon this principle, in conjunction with the dogma that discovery conferred the right to govern, assumed the position that every government within the limits of its discoveries reserved to itself the exclusive right to

* The harmony that prevailed at first, is attributed by Dr. Hatfield, (Hist. of Elizabeth, pp. 44, 50) to an entire relinquishment by Carteret of the claims of those he represented, but of which relinquishment there is no evidence other than the *ex parte* statements in the “Answer” to the Bill in Chancery. In that document, of course, everything is denied that can possibly favor the case of the Proprietors, even to the origin of the name of the Town, which Dr. H. concedes to have been *probably* christened after Lady Elizabeth, the wife of Sir George Carteret, but which the descendants of the settlers very indignantly deny, (Answer, p. 20) claiming that the place was named in “memory of the renowned Queen Elizabeth.”

† Commentaries, Vol. I, pp. 376, 377.

grant a title to the soil, subject only to the Indian's "right of occupancy;" and all persons were precluded from acquiring even that right from the natives, except by permission first obtained from its recognized agents or authorities.* Even at the present day and in our own land "the presumption is," says Judge Kent, "that the Indians are to be considered merely as occupants" * * and * * "deemed incapable of transferring the absolute title to any other than the Sovereign of the country."

Such being the principles of law—such being the modes of procedure recognized as sound and universally prevalent in 1664, what was the course pursued under them by the emigrants from Long Island? Did they conform to them? They did. Not for a moment did they question the supreme authority of the grantee of the Crown over the land they desired to possess, but addressed their "humble petition" to his representative to be allowed to purchase the Indian title thereto; and having obtained it, instead of being satisfied therewith, sitting down each "under his vine and under his fig tree, with none to make him afraid," they acknowledged the yet defectiveness of their title, and the necessity for further and ampler powers than were conferred by the acquisition of the Indian's simple right of occupancy, by their application for a confirmation of their purchase and by their submission to the conditions upon which alone they might fully enjoy the privileges they sought. And what were those conditions? The Patent very clearly specifies them as consisting in "rendering and paying yearly unto his Royal Highness the Duke of York, OR HIS ASSIGNS for ever, a certain Rent, according to the customary rate of the country for new plantations, and *doing and performing such acts and things as shall be appointed by his said Royal Highness OR HIS DEPUTY.*"

It was very soon contended on strictly legal grounds that, the acts of Nicolls affecting New Jersey, being subsequent to the transfer to Berkley and Carteret, were null and void, and the specific question some years later† being submitted to eight distinguished lawyers, (among them being Holt, afterward Chief Justice, Wm. Williams, afterward Solicitor General, John Hollis, and one of the Pollixfens) "whether the grants made by Col. Nicolls, are good against the assigness of the Lord Berkley and Sir George Carteret," they gave it as their opinion that "the authority by which Col. Nicolls acted, determined by the Duke's grant to the Lord Berkley and Sir George Carteret, and all grants made by him

* Kent I, p. 257, 379. Story, pp. 6, 7.

† A copy in the N. York, Hist. Soc. Library, Boundary Papers, Vol. 1, gives 1680 as the date.

"afterwards (tho' according to the Commission) are void; for the delegated Power which Col. Nicolls had, of making Grants of the Lands, "could last no longer than his Master's Interest, who gave him that "Power; and the having or not having Notice of the Duke's Grant "to the Lord Berkley and Sir George Carteret, makes no difference in "the Law, but the want of Notice makes it great equity, that the present Proprietors *should confirm such Grants to the people who will submit, "to the Concessions and Payment of the present Proprietors common Quit "Rents*: otherwise they may look upon them as Dis-seisors, and treat "them as such."* Now this *equitable* right was always acknowledged. No attempt was ever made to *set aside* the Indian grant of occupancy. It was ever alluded to by Carteret as a "lawful purchase," but that by no means interfered with the right of the Proprietors to the stipulated customary rent referred to in the legal opinion just cited, or to the observance of such regulations as might be prescribed by those to whom the powers of the Duke of York were delegated.

It was certainly the intention of the Duke of York to place Berkley and Carteret in possession of the tract conveyed by him untrammelled by any restrictions or incumbrances whatever, "in as full and ample a manner" as he had received it from the King, and so, by confirmation after confirmation was the fact sought to be established that they were, using the language of Charles himself, "absolute Proprietors" of the province.† But, notwithstanding that this appears to be so definitely affirmed, I conceive that it is not necessary to establish the invalidity of Nicolls' grants in order to prove the erroneous position taken (not at first, but subsequently) by those claiming through him. Allowing his authority to be unquestionable, what were the conditions of his Patent?

In the first place "the customary rate of the country" was to be paid yearly to the Duke "or his assigns." Is there any doubt as to who were "his assigns" in New Jersey? Is there any allegation that the "half penny per acre" prescribed as the rent by those "assigns" exceeded the customary rate? I have not met with any such.‡ And what were the "acts and things to be done and performed" according to the

* Elizabethtown Bill, p. 41.

† Grants and Concessions, pp. 31 and 39, &c.

‡ The fact is, there was no one customary rate. Some of Nicolls' patents call for "a Lamb," or "a Barrel of Cod Fish." (Bill 15) and some were free, but we find "bushels of winter wheat" for tracts of 80 acres, which at 5s. a bushel was equal to three-fourths of a penny per acre. In Dongan's time the early patents were "called in," and new ones issued at higher rates, (N. Y. Col. Docts. iii., p. 401, 412) and in 1638 Andros was limited to 2s. 6d. per 100 acres, which was more than $\frac{1}{2}$ d. per acre. (N. Y. Col. Docts. iv., p. 302.)

appointment of the Duke "or his Deputy," but those prescribed in the Concessions? No rent was ever paid to the Duke personally, no requisition from him, as to "acts and things to be done and performed" was ever received or heeded, the parties therefore, to whom both obligations were due, were beyond question Berkley and Carteret, who were clothed with all the rights and authority the Duke himself possessed; and so the Duke asserted when, in reference to those who subsequently set up the claims of the Jamaica emigrants, he wrote to his Governor of New York: "I would have you take notice yourself, and when occasion offers, make known to the said persons and to all others, if any be pretending from them, that my instruction is not at all to countenance their said pretensions nor any other of that kind, tending to derogate in the least from my grant above mentioned to the said John Lord Berkley, and Sir George Carteret, their heirs and assigns*"

The attempts made to prove that Elizabethtown was not settled under the provisions established by Berkley and Carteret, have necessarily led to the adoption of the theory that it is *probable* possession was taken of the tract, formally, between the date of the purchase from the Indians, and the date of Gov. Nicolls' confirmation, that is, between the 28th October and the 1st December, 1664, *because* the "four hundred fathoms of white wampum" which constituted part of the consideration to the Indians, and which was to be paid after "a years' expiration from the day of entry upon the said lands," was acknowledged to have been received in full on the 24th November, 1665; it *not* being *probable* that the time of payment was anticipated.† Now both these affirmative and negative probabilities seem to be rendered considerably less striking by the fact that a receipt, appended to the deed itself, shows that payment of one-fourth of the quantity of wampum was made as early as August 8th, 1665, and if the convenience or interests of the parties caused them thus to anticipate the payment of one-fourth, why should not the payment of the other three-fourths have been anticipated also? Is it not *more* probable that the arrival of Philip Carteret and his company, facilitated the payment, by placing at once at the disposal of the purchasers the means of meeting their engagements,‡ than that any attempt at settlement should have been made in November, when the proximity of winter must have prevented any improvements? The

* Grants and Concessions, p. 32.

† Answer to Bill, pp. 7, 8. Hatfield's Elizabeth, p. 37.

‡ See affidavit of Edward Sackville referred to on a subsequent page.

actual settlement was probably commenced in the Spring of 1665, so that the assertion made in 1746,* that there were not more than four families on the ground ("if so many") when Carteret arrived early in August, must be regarded as the closest approximation to the truth now attainable. No evidence to the contrary has been yet discovered, while the assertion is based upon actual affidavits made seventy years previous, by three apparently disinterested individuals, personally cognizant of the matters of which they affirmed. As these affidavits have never been printed in full, it is well to introduce one of them here, as the importance of its revelations cannot be questioned.†

"SILVESTRE SALISBURY of New Yorke Gent. maketh oath that in or
 "about the yeare 1665, he being then at New Yorke, there arrived Philip
 "Carteret Esq^r at New Jersey in America in a Ship called the Philip
 "w^{ch} s^d ship was 100 tuns & had then aboard her about 30 servants &
 "severall goods of great value, proper for the first planting and settling
 "of the Colony of New Jersey & this deponent sayeth that at the time of
 "y^e arrivall of the s^d ship there were about four families in New Jersey
 "(except some few at New Sinks that went under the nomen (?) of Qua-
 "kers) and that y^e s^d Philip Carteret after his arrivall there landed y^e s^d
 "servants and goods & applied himselfe to y^e planting and peopling of y^e
 "s^d Colony & that he sent diverse persons into New England & other
 "places to publish y^e Concessions of y^e L^{ds} Propriet^{rs} and to invite people
 "to come & settle there, whereupon & within a years time or thereabouts
 "severall p^{rs}ons did come wth their families and settled there in severall
 "townes: And this Deponent sayth that he believes there would few or
 "none have come thither if the s^d Philip Carteret had not settled himself
 "as afores^d & brought such goods & sent such Messengers as afores^d. And
 "this Deponent sayeth that y^e s^d ship remained there about six months, &
 "then went to Virginia, England & other places & about a yeare or more
 "after returned to New Jersey where she remained for severall months;

* Elizabethtown Bill, pp. 28, 66.

† The originals of these interesting documents are in the first volume of the New York and New Jersey Boundary papers in the New York Historical Society Library, with which papers, however, they have no apparent connection. They were among the papers of James Alexander, and are in company with a letter from him to Edward Antill of New Jersey, making enquiries respecting the deponent. The affidavits are only briefly referred to in the Elizabethtown Bill, (page 28) owing probably to the difficulty encountered in legally establishing their authenticity, of which, however, there seems no ground for doubt. It is probable they originally had some reference to establishing the fact of the settlement, prior to the re-conquest of the country by the Dutch in 1673, with the view to its repossession on its restoration to the English, under the treaty between Charles II and the States General, Feb. 1674. See Bill in Chancery, p. 7.

' And this Deponent sayth that the s^d Philip Carteret at his arrival did declare & owne that the s^d ship servants & goods, did belong to the "R^e Hon^{ble} S^r George Carteret & were sent by him for the beginning and encouragem^t of the peopling and planting of the s^d country; And farther sayeth that the s^d S^r George Carteret did send severall other Vessels thither particularly a Ketch whereof Peter Bennet was master anno 1673 laden wth wines and severall other English goods.

" SILVESTRE SALISBURY."

' Jurad 4^o die feeb. 1675 coram

" me en Cancellar Magester.

" JO. COTT."

Captain Silvestre Salisbury was an Englishman by birth, and possessor of lands on Hudson River. He was sent to England in 1675 by Governor Andros, to give information to his royal Master respecting various matters affecting the interest of his province of New York, especially the desirableness of Connecticut, and shortly after making this affidavit returned to America and is thought to have been subsequently in command of the fort at Albany.* Another affidavit similar in all respects to that of Salisbury's, was made at the same time by "Peter Smith, Gent, of New York," who is thought to have been a Roman Catholic Priest, and subsequently chaplain to Governor Dougan.† The third affidavit‡ is by "Edward Sackville of Westminster, Gent.," sworn to before Wm. Beversham, Feb. 24, 1675-6, and is similar to the two others, excepting that instead of the closing paragraphs in them referring to the ownership of the "Philip" and cargo, and to the despatch of other vessels to the province by Sir George Carteret, there appears this important item of testimony.

"And [the deponent] further sayeth that to his certain knowledge the s^d Philip Carteret did pay unto the Indians in goods to a considerable value that they might enjoy their land quietly, otherwise they could not have inhabited the same."

We have here then positive evidence of a fact, in accordance with what would otherwise have seemed the most probable explanation of the prompt payment of the stipulated consideration to the Indians. For it does not appear that the contemplated settlement had assumed such bright colors in the distance, as to render the acquisition of an interest therein to be sought with great avidity, there being positive evidence

* Letter of Edward Antill in Boundary Papers, Hist. Soc. Library.—N. Y. Col. Docs. II. p. 739. III. pp. 234—236, 238, 415.

† Letter of Edward Antill.

‡ It is endorsed on the back "A writing of great concernment."

that some were found who, after contributing towards the Indian purchase fund "disliking ye place vpon a view off it," had their advances refunded to them,* Some collateral evidence is also offered of the few actually interested in the settlement, until after the arrival of Carteret, in the very document referred to as conveying to them their title. The applicants to Nicolls for permission to purchase, as already stated, were six in number, *John Bailey, Daniel Denton, Thomas Benneydick, Nathaniel Denton, John Foster, and Luke Watson*, but the deed from the Indians was only to Bailey, Daniel Denton, and Luke Watson, for although the words "and their associates" were added, it is very doubtful, from several circumstances, whether they had as yet any so indentified with them, as to render their co-operation certain. When, in little more than a month later, the purchase was confirmed by Gov. Nicolls, it was to Capt. John Baker—who probably for his services as Interpreter, was allowed to participate in its benefits without any contribution towards the purchase; John Ogden—then expecting to become intimately connected with the enterprise, and who shortly afterwards purchased the interest of the Dentons; John Bailey, and Luke Watson: and the presumption is, that at the time when the final payment was made to the Indians (Nov. 24. 1665), Carteret, by the purchase of Bailey's interest, that very day, and by contributions in behalf of the proprietors—Ogden by the purchase of the interest of the Dentons—and Luke Watson, were the only parties having anything at stake pecuniarily.† Hence the reasonable explanation, why, when the transfer of the Indian title to one moiety of the purchase (which will presently be noticed) was made to Daniel Pierce and his associates, the deed was signed only by Carteret, Ogden and Watson, as the only parties interested in that title.

That the denial of the Proprietor's rights to the soil was an afterthought, would seem to be susceptible of proof from several well established facts, only two or three of which can be specified in this paper.

Governor Carteret, immediately on his arrival, as we have seen, dispatched special agents to New England, and other places, to publish the terms of the "Concessions" and to invite emigration to New Jersey.‡

It is well known that the settlement of Newark was the consequence

* Albany Documents, vol. 32 p. 118.

† Unless we except two individuals, Ambrose and Josiah Sutton, who subsequently complained that they never "had any consideration in land or any other way," for the sums they had advanced, they not having become residents, (Albany Documents, vol. 32, p. 118.)

‡ Is it "probable" that Long Island was not among the places to which these persons were sent, or that the settlers thence came not in accordance with this invitation?

of this publication and invitation, and it is entirely in accordance with probability, as well as with the asserted claims of the proprietors, that the lands located subsequently, if located legally, were so located under the "Concessions," and to sustain this position I would refer first to the circumstances leading to the settlement of Woodbridge and Piscataway.

It will be remembered that the deed from the Indians was to Bailey, Denton and Watson and their associates. But as we have seen, neither Bailey nor Denton felt sufficiently assured of the success of the undertaking in which they had embarked, and before 1666 the rights of Bailey had been assigned to Philip Carteret, and those of Denton to John Ogden. Baker, the other grantee named, not having become a resident, Carteret, Ogden and Watson were in 1666, as has been shown, the holders of the title under the original purchase. Now it is very significant of the views which then prevailed that, when in consequence of the invitation they had received, in common with the residents of "other places," Daniel Pierce, John Pike and Andrew Tappan, of Newbury, Massachusetts, presented themselves in New Jersey and fixed upon the southern portion of the Elizabethtown tract as a desirable location for one or more towns, Philip Carteret as "Governor of the Province of New Jersey, in the behalf of the Lords Proprietors" should on the 21st May, 1666, have entered into an agreement with them, to which John Ogden was a witness, wherein are these two pregnant passages.

"They shall have the liberty within themselves to lay out every man's proportion of land according to their judgment and discretion, not exceeding the proportion limited in the *Lords Proprietors' Concessions*."

"For the *half-penny per acre per annum, due to the Lords Proprietors*, the payment is to begin the 25th of March, 1670; and that every man shall pay yearly in the Country-pay for no more Land than what is *appropriated to him by patent*; provided, that every person shall patent so much land in proportion, as is specified in the *Concessions*, or according to their estates; and that all lands so patented, shall be *surveyed* and bounded by the Surveyor General or his deputy," &c.*

Could any thing more emphatically set forth what were thought to be the rights and privileges of settlers *within the Elizabethtown tract*, after the publication of the "Concessions," than this document? If it had not been considered a correct exposition of those rights and privileges, how happens it that no exceptions were ever taken to its terms? If still recognized as paramount, why was Nicolls' Patent entirely ignored—not even alluded to?

* Bill in Chancery, p. 29. For the document in full see E. J. Records, Liber 1, 2d part, p. 19.

Having thus conformed to the established mode of procedure in acquiring their lands, and recognized the supreme authority of the Lords Proprietors, in order that there might be no question as to the extent of their domain and its freedom from all Indian rights of occupancy, a Deed was executed Dec. 11th of the same year: "Between Capt. Philip Carteret, Esq., Govenor of the Province of New Jersey, John Ogden, Esq., and Luke Watson, of Elizabethtown, in the s^d Province of the one part, and Daniel Pierce of Newbury and his associates, of the other part," conveying "the one moiety or half part of a certain tract of land situate lying and being," &c., (following the Elizabethtown purchase deed) "which said tract of land was lawfully purchased from the natives or Indians, by John Bayley, Daniel Denton and the said Luke Watson," &c., * * —not a word said, be it observed, of its "confirmation," by Nicolls—"to hold the one moiety or half of the said purchase, &c., equal with the other moiety belonging to Elizabethtown aforesaid, with all and singular rights, title, interest and conveyances (conveniences?) belonging;"—the grantees stipulating that the "said Daniel Pierce and his associates shall and may enjoy forever all and singular the before demised premises, *in as full and ample a manner as the said Capt. Carteret, John Ogden and Luke Watson do hold and enjoy the same.*"

The light that each of these documents throws upon the other is remarkable, and it would seem that nothing else could be required to establish the fact of the entire acquiescence of the first settlers in the enforcement of the Proprietors title. In the latter document we find that the moiety of the tract disposed of was to be held on precisely the same terms as the moiety retained; that the grantees were to hold and enjoy forever their portion "in as full and ample a manner" as the grantors hold theirs. If we wish to know what those terms were, and in what that fullness of possession consisted, we have only to refer to the former document and we have the information. If Pierce and his associates were to have their respective properties regulated by "the Lords Proprietors Concessions," the same Concessions were to regulate of course the properties of Ogden and his associates. If the lands in the southern half were to be appropriated to each settler by *Patent*, the provision must have applied as well to the lands in the northern half. If the one party was to pay the half penny per acre per annum, of course the same rent was to be paid by the other.*

* I cannot refrain from introducing a passage from Dr. Hatfield's recent History of Elizabeth, giving an account of the transfer to Pierce and his associates, to show how naturally theories may obscure the truth. Neither of the documents I have referred to are quoted, and the circumstances are disposed of as

But it is said that Governor Carteret, by purchasing the rights of Bayley and others, confessed that the grant or confirmation by Governor Nicolls of the Indian Deed to the Jamaica emigrants, conveyed a valid title; and thereby compromised the claims of the Proprietors. Let us give to this a brief consideration.

We have no definite information as to the frequency of communication between Carteret and his superiors in England, nor of the matters which were made the subjects of correspondence, but in the peculiar situation of the Governor, surrounded by strangers, with few in whom to trust as advisers, and with Governor Nicolls near at hand fostering feelings of disappointment and chagrin at having lost control of what he deemed "all the improvable part" of the Duke's territory,* he must have often found himself at a loss how best to act, so as to guard the interest of the Lords Proprietors and at the same time retain his personal influence, and ensure his personal comfort. Decisions he had to make without doubt, unfortified by the views of his superiors, but there is nothing known, at variance with the reasonable supposition, that in reference to the rights acquired by the Indian purchase he acted, in accordance with their directions or known wishes, as in all he did he seems to have had ever in view the "great equity," that the distinguished counsel—already referred to—subsequently thought might properly lead to a confirmation of such rights to those who should submit to the "Concessions" and payment of the quit-rents. If not specially instructed, he

follows: "Some of the people of Newbury, Mass., finding themselves uncomfortably straitened for farming lands sent an expedition to visit these parts, and, if pleased with what they saw and heard, to secure an eligible location for a town. Hospitably entertained on their arrival, and made acquainted by personal inspection, with that part of the Elizabeth Town patent that lay between the Raritan and Rahway rivers that had been offered on fair terms by the town (?) they concluded to purchase it. According to the custom of the times they applied to Gov. Carteret and received, May 21st, 1666, the necessary permit to settle two townships within the bounds specified; for which a deed, duly executed, was given them December 11th, 1666, by Carteret, Ogden and Watson, representing the associates of the Town. * * * If the Town Book, in which their early transactions were duly recorded, were now accessible, it would, doubtless, show that the matter had been submitted to the people in town meeting and a vote taken, giving to Carteret, Ogden and Watson, authority to alienate "the one moiety or half part" of their purchased possessions. It was sold as such "half-part of the said tract of land which was purchased of the Indians." By becoming a party to this transaction, therefore, Carteret again acknowledged the validity of the original purchase and patent."

To all which it may be said that if "the people in town meeting," authorized this sale, of which, however, there is no proof, then "the people in town meeting" also, acknowledged that they were bound to have their lands surveyed and patented under the Concessions!

* N. Y. Col. Docts. iii, p. 105.

certainly evinced a true perception of that equitable right and a disposition to respect it.* *This* was the right he purchased; *this* was the right that in documents bearing his signature he admits to have been in the first instance "lawfully purchased of the Indians," that "right of occupancy," referred to by the legal authorities I have quoted, which, although acquired regularly, did not give a clear indisputable title according to the theory and practice of the day until surveyed and patented, subject to the "certain rent according to the customary rate of the country" as required both in the confirmatory grant of Nicolls and the subsequent Concessions of the Proprietors.† A striking illustration of the prevailing disposition to accord all possible rights to settlers, consistent with the superior title of the Proprietors, is seen in the confirmation to Augustine Herman, on the 16th Nov., 1666, of lands on the south side of the Raritan, opposite to Staten Island, *bought by him of the Indians March 25th, 1651*. "Provided that he makes good his purchase from the Indians, and that he observe all such conditions and things according to the Lords Proprietors and Concessions," and there are not wanting instances where claimants to lands acquired before the transfer to Berkley and Carteret, are called upon to substantiate their claims by actual settlement, and conformity to the Concessions, or else the lands would be awarded to others.

It must be remembered that the quit-rents were not payable until 1670, and that no steps were taken towards the issuing of patents prior thereto, the delay in requiring their obtainment, being doubtless owing, in part, to the uncertainty, during a portion of the time, as to where the ultimate proprietorship of the province would rest.‡ Consequently the several tracts taken up or allotted to settlers, with the improvements placed thereon by them, were subject to transfer at will to any purchaser, who, at the appointed time, should complete his title

* The Proprietors general instructions respecting the treatment of the natives merit a notice here. "If our Governor and Counsellors should happen to find any Natives in our said Province and Tract of Land aforesaid, that then you treat them with all Humanity and Kindness, and not in any wise grieve or oppress them, but endeavor by a Christian carriage to manifest Piety, Justice and Charity, and in your Conversation with them, the Manifestation whercof will prove Beneficial to the Planters, and likewise Advantageous to the Propagation of the Gospel." Grants and Concessions, p. 30.

† I am now satisfied that there are no grounds for the suggestion in "East Jersey under the Proprietary Governments," (Page 41, note) that the purchase of Bayley's interest by Carteret may have been made with the expectation that at any time his purchase might be confirmed. Further examination has convinced me that the true explanation of that transaction is what I have given above.

‡ See Proceedings of Society, vol. x, p. 102—Note.

in the prescribed mode. There was, therefore, in the simple acquisition of such individual rights by Gov. Carteret—in view of the acknowledged “equity” in them—that did not in the least conflict with the superior title of Berkley and Carteret. Bailey, for example, did not, in his deed, “warrant and defend” his lot or lots, “with all and every the “building or buildings thereon” to Carteret, against *all* claimants, but only in the language of the deed, against “any person or persons whatsoever that shall lay any claim or claims thereunto by form, or under “*him* (the said Bailey) or any of his heirs,” &c.*

And, as we have seen, when Carteret, with Ogden and Watson, transferred the moiety of the entire tract to Pierce and his associates, they only guaranteed to them a possession equal to that they enjoyed in the other moiety, “in as full and ample manner as the s^d Capt. Carteret, “John Ogden and Luke Watson, do hold and enjoy the same.”

Another fact establishing the operative force of the Concessions, is this: By the Concessions it was stipulated that one-seventh part of each Township should be allotted to the Lords Proprietors, their “heirs and “assigns, the remaining to persons as they come to plant the same, in “such proportions as is allowed.” Thus, in the agreement for the settlement of Piscataway and Woodbridge, it was especially provided that one thousand acres should be appropriated to the Proprietors, and subsequently in the Charter to Woodbridge, Amboy Point was reserved for their use “in lieu of the seventh part mentioned in the Concessions.” It will be remembered that the holders of the southern moiety were to hold and enjoy forever their portion “in as full and ample manner,” as Carteret, Ogden and Watson held and enjoyed the northern moiety. The question naturally arises, therefore, how were the Elizabethtown people, proper, situated as regards *this* proviso in the Concessions? Why we have on record a document emanating from the Governor and Council, dated July, 20th, 1666, in which it is stated that “upon serious Consideration, and for certain and importunate reasons best known unto themselves,” they “have thought fit” to reserve a certain parcel of land and meadow for “the Lords Proprietors of this Province and their Heirs, “to be by them disposed of as they shall think fit, *as a part of that portion of land which of right they are to have out of every Township,*” and all persons are forbidden from cutting any wood thereon, from building thereon, or from cultivating any part of it “without special leave or “licence first obtained from the Governor.*” Could any thing be more

* E. J. Records, Lib. i, p. 2.

* Bill in Chancery, p. 34. E. J. Records, Lib. iii, p. 10.

conclusive of the operation of the "Concessions," every where, within the original purchase, than this particular regulation prescribed by them, thus recognized as binding in both its northern and southern moieties? The "Concessions," if operative in part, were operative throughout. If the provision allotting certain lands to the proprietors was recognized as binding, requisitions respecting the payment of the quit-rents were equally so, and if the payment of the rent was acknowledged to be just, the obtainment of patents became equally obligatory. The document was ever regarded by Governor Carteret as a whole, and he ever required it to be so accepted.

It is a noteworthy circumstance that, notwithstanding the aversion felt to acknowledge their obligations under it, respecting their lands, the great mass of the people soon recognized the instrument as the Charter of their liberties, and in all other particulars appealed to it for protection of their rights. When, in 1684, the twenty-four Proprietors sent over to the Province what they termed their "Fundamental Constitutions"—the original document framed, now enriching the walls of the Library of the Society—which they thought the people would gladly adopt in preference to the "Concessions," of Berkley and Carteret, they found themselves mistaken, and the, at first, calumniated instrument, was retained as the foundation of the government. So in 1748—when, by act of the Legislature, the Laws enacted subsequent to the surrender of the Government to the Crown were authorized to be published under the supervision of Judge Nevill, the popular party were not satisfied until they had obtained and published that interesting collection of Papers known as Leaming and Spicer's "Grants and Concessions," comprising all those early documents both of East and West Jersey; and, it is due to the much contemned Proprietary Governments to state that, the Compilers had the frankness to say in their preface, "If our present system of Government [that was in 1758] should not be judged so equal to the natural rights of a reasonable creature as the one that raised us to the dignity of a colony, let it serve as a caution to guard the cause of Liberty"—implying that there was more Liberty under the Proprietors than under the Crown.

Returning from this digression let me call attention to a name that appears with Carteret's on the papers we have been considering—this grant of the Southern moiety of the Elizabethtown tract and this allotment, out of the same tract, to the Proprietors! it was that of JOHN OGDEN—one of those to whom the tract was confirmed by Nicolls—one of those who, it is said, was present when Carteret arrived—one of those who paid to the Indians the consideration for the tract—one perfectly conver-

sant with all the circumstances of the settlement, capable, honest, intelligent, fully able to appreciate the relations existing between the parties, who could scarcely have been invited to become one of the Governor's Council, and assuredly would not have accepted the position and acted in concert with the Governor, had he not been satisfied of the paramount title of the Proprietors. And although eventually found arrayed in opposition to the Governor, it was subsequent to the period under review, and when reasons of a personal character existed to account for the change.

That there were those among the settlers who soon exhibited opposition to the rights of the Proprietors may be considered unquestionable, but they were in a decided minority, and even the most strenuous upholder of the malcontents is obliged to acknowledge that "the affairs of the town, so far as can be discovered, moved on very quietly and harmoniously during the first two years after Carteret's arrival."* Much of the dissatisfaction subsequently manifested, and the demonstrations of a determined resistance to the terms of the "Concessions" which were developed, may be attributed to the very provision regarded as one of the most liberal—the postponement of the payment of quit-rents. But the nearer the 25th March, 1670, approached, the more active became the elements of discord. The enjoyment for three, four or five years of their respective allotments, free from all pecuniary liabilities to any one therefor, tended very naturally to beget a desire for a continuance of such a state of things, and hence, mainly, the disputes between the Governmental and country parties which, commencing with the difficulties growing out of contested rights to the soil, gradually extended to other matters, until the exercise of all authority by Carteret was set at naught.

It is not the purpose of this paper to discuss these differences. Doubtless there were errors committed on the part of the representatives of the Proprietors, mistakes made in the estimate placed upon some of their delegated powers, and in the manner in which those were administered, respecting which perchance there was no question, but these were made more grievous by the provocations on the part of the people; but a critical examination of the documentary and traditional history of the times, and an unprejudiced weighing of conflicting testimony, can lead only to one conclusion that, the refusal to respond to the well established legal requirements of the Proprietors was the *foundation* of the wide spread evils that have been referred to. For although its growth was repeatedly checked, by the chilling influences of authoritative exposi-

* Hatfield's Elizabeth, p. 121.

tions of the rights of the parties, the seed sown in the time of Berkley and Carteret, continued slowly to germinate throughout the period of their joint and several Proprietorships, and subsequently, after the surrender of the Government to the Crown by their successors, was fully developed in baneful luxuriance. Evil example is contagious, and in after years the descendants of the Newark Settlers, following in the steps of their neighbors of Elizabethtown, set up *their* Indian titles, also, as all sufficient, and even went so far as to assert that the "Concessions" had "never been known or heard of by the generality of the inhabitants" until then,* forgetful of recorded proofs of their recognition to be found in their own "Town Books."† Suits and counter-suits, ejectments legal and illegal, riots and commotions consequently mark the whole of the Colonial era, and not until, at last, the War of the Revolution came with all its varied effects upon property and population, did the contentions cease, and *possession* become the great panacea for controversies about titles. The famous suit in Chancery was never brought to a legal termination, but in its slow progress it gathered around it a large amount of most valuable information, giving, in the language of the title-page of the Bill—"a better Light into the History and Constitution of New Jersey" than can be derived from all other sources unconnected with it.‡

There have been some attempts to disparage Governor Carteret by reference to the presumed effect of associations with a corrupt and aristocratic court, severing all sympathetic chords between him and the people around him; and broad intimations given that he and his company lived in "the unrestrained indulgence that so commonly and shamefully characterized the Court of Charles," for all of which there is no warrant whatever. But even were the Governor chargeable with such dereliction in morals or deportment as estranged the people from him, how happened it that the same people could patronize the dissolute James Carteret, and sanction his subversion of the Government, who is described by a contemporary, and one who knew him personally, as "a very profligate person" * * who "runs about among the farmers and stays where he can find most to drink, and sleeps in barns on the straw."§ I will not scandalize the settlers of Elizabethtown by supposing that their selection of such a man for "President of the Country||" as they did, indicated greater "sympathy" for *his* personal character than for that of his relative, the Governor. I am willing to attribute it rather to mistaken policy, a supposi-

* Answer to the Proprietors Publications, p. 8.

† See Note A.

‡ See Note B.

§ Danker's Journal, pp. 197, 198.

|East Jersey under the Proprietors, p. 55.

tion that his father, Sir George, would sanction their proceedings however subversive of his authority, if approved of and participated in by his dissolute son, an idea very effectually dissipated on the receipt of his response.*

The result of this examination, so far as it has been carried, may, I think, be considered as demonstrating that,—Although the acts of Gov. Nicolls, affecting the tract now known as New Jersey, of a date subsequent to that of its transfer to Berkley and Carteret, were legally void, yet there is no evidence now obtainable, of any desire on the part of the Proprietors to set them aside, *provided* their terms were adhered to by those to be benefitted by them, namely the payment of a certain quit-rent and the performance of such obligations as might be prescribed by those exercising authority under the Duke—

That inasmuch as the so-called “Concessions” were widely published by Gov. Carteret immediately on his arrival, and settlers invited to the Province under their provisions, we must presume, in the absence of all negative and the presence of much confirmatory testimony, that they were considered operative within the limits of the Elizabethtown purchase—

That in the absence of all proof to the contrary, we cannot do otherwise than accept as most probable the assertion made in print more than a hundred and twenty years ago, and in manuscript seventy years prior, that there were not more than four families on the ground, “if so many,” on the arrival of Governor Carteret; and that there is no evidence that even the heads of those families did not conform to the requisitions of the “Concessions.”—

That the settlements of Newark on the north and of Woodbridge and Piscataway on the south—the one, after “discourse and treaties with the Governor” with recorded evidences of a recognition of the obligations of the “Concessions,” and the others, under express and stipulated provisions conformable thereto, said to be identical with the rights and privileges of the people of Elizabethtown,—are confirmatory of the intention on the part of the representatives of the Proprietors to have the “Concessions” generally operative, and of a prevailing understanding among the people to that effect.

And if these points are established, it must be conceded that—

The refusal to comply with the terms of the “Concessions” on the part of the Elizabethtown people, as regards the holding of their lands “by Warrant, Survey and Patent,” from the Governor and his Council, was subversive of good order and prejudicial to the just rights of the

* Grants and Concessions, pp. 32, 41.

Proprietors, as interpreted by the laws and customs of the times; for however restricted may have been the limits of their purchase, within which they claimed exemption from the requirements of the Proprietors, their example and influence naturally prompted to similar action on the part of others beyond those limits.

NOTE A.—PAGE 172.

From the Newark Town Records, we find that in Town meeting Feb'y 3rd, 1669-70, the following language was adopted as part of a communication to the Governor from the settlers of Newark. "As for the payment of the Half-Penny per Aere for all our allotted Lands, according to our Articles and Interpretations of them, you assuring them to us, we are ready when the Time comes, to perform our Duty to the Lords or their Assigns."

On the 24th March ensuing, a Committee was appointed to collect every man's quota in Summer Wheat at 5s. * * * "before the day be over, or else if they fail they are to Double the Quantity," which the committee on the morrow were to carry to Elizabethtown "and make a Tender thereof to the Governor upon the account of the Lords Proprietors rent for the Land we made use of according to Articles."

On the 20th March following, 1671, the same Committee were appointed to "Goe" to the "Governor in Behalf of the Town, make a Tender to Him in Good Wheat for the payment of their Half-Penny per acre to Him for the Lords Proprietors in like manner as they did the last year at the Day appointed; in case that he will accept of the same, that then they are fully Impowered to give notice by the warners of the Town, for every one to bring in his proportion of Corn," &c.

On 14th November, 1671, we find how "the Lords' rent" should be levied.

There is no intimation in the records of acceptance by the Governor of the proffered rent, but it is to be presumed, as it was unaccompanied by any application for a Patent, that it was refused; as the Governor had announced his determination not to receive anything as rent from any parties who had not taken out their patents.

Individual Settlers began in 1675 to comply with the terms of the "Concessions," the first patent being issued to Jasper Crane, August 25th, and subsequently, in December, 1696, a patent was obtained by the Town for the streets and public grounds. I have in my possession original memoranda of amounts paid to the proprietors' Receiver of Quit rents, when on his collecting tours, in which appear the names of most of the prominent inhabitants of Newark and the amounts they severally paid, and yet as late as 1746 the descendants of these men denied that their ancestors had any knowledge of the features of the Concessions involving the obligations of warrant survey and patent to perfect their titles.

Note B.—Page 172.

It is to be regretted that a Case of a nature calculated to determine the right of the Proprietors, which reached England on appeal in 1696 failed, through some technical defects in the proceedings, to receive a definitive decision on its merits. Much subsequent discussion would have been obviated, for it was left in such a position that it is doubtful if any important point at issue was either elucidated or established by it. Its history is briefly as follows:

The appellant was one Jeffrey Jones an early settler at Elizabethtown,—one of those who swore “to be true and faithful to the Lords Proprietors and their successors” in the first years of the settlement,—who, from having been connected with the disturbances of 1672 and other circumstances, had attained to considerable prominence in the place. On 25th April, 1676, he obtained a warrant for 180 acres of land, but took no further steps in conformity with the terms of the Concessions to perfect his title. In the mean while James Fullerton of Woodbridge settled upon the tract, or some other to which he laid claim. In 1693 Jones ousted Fullerton, and in September of that year Fullerton brought an action of trespass and ejectment against Jones, and the case came on for trial in the Court of Common Pleas at Amboy in May 1695; the Proprietors being the actual plaintiffs in the suit.

“The whole merits of the case” says Dr. Hatfield—but upon what authority he makes the statement does not appear—“were brought out before the Judges and Jury on both sides. The events were then recent, the documentary evidence was ample and well preserved * * so that the facts were fully before the Court or within their reach.” (History of Elizabeth page 241.) It is doubtful however that the circumstances connected with the settlement were brought out on the trial, for the Elizabethtown people in their answer to the Bill in Chancery, expressly state, (page 30) “that in this controversey (the “Jeffrey Jones case) there was not so much as a suggestion of the plaintiff that “the associates of Elizabethtown settled under the said Concessions” which seems to render it probable that the points at issue were more matters of law than of fact, a supposition which is strengthened by the slender details of the trial and its results that have come down to us. (Answer to Bill, page 30.) But allowing that such full exposition of circumstances was presented, it seems that the Council on both sides, upon the state of the facts as they understood them, agreed upon a special verdict, the terms of which are not known, and the court charged the Jury accordingly. Unfortunately, however, the Jury were not to be deprived of the opportunity offered to express their own views, and all being more or less interested in the result of the suit, instead of bringing in the special verdict agreed upon,—which whatever may have been its purport could not have been favorable to the defendant,—they brought in a general verdict against the Proprietors’ title, as upheld by Fullerton. This the Court set aside and pronounced judgment in accordance with the terms of the Special Verdict. (Bill in Chancery, p. 120 Answer p. 30.) The disaffected in the Province subsequently asserted that the Jury’s course was promoted by a keen sense of justice worthy of all commendation, as they were “chosen by the Proprietors or their creatures” (Grants and Concessions, p. 693) but a document in the Library of the New York Historical Society signed by such men as Andrew Hamilton, John Barclay, John Reid and others of the Proprietors, the same year, states emphatically, that the Jury “all were parties, and contributed to “make up Mr. Nicolls fees”—Mr. Nicolls being Jones’ advocate. (Boundary Papers, vol. 1, Instructions to Thomas Gordon.) The same document contains an incidental reference to the points raised by Nicolls, as does some manuscript

"notes" on another case to be found in the same depository, in which the positions taken by Nicolls are shown by references to various authorities, statutes and cases, to be untenable, but not a word is said about Jones' title depending upon the perfectness of the Indian purchase under the licence of Governor Richard Nicolls.

The supporters of Jones, appealed from the Judgment of the Court to the King in Council, and on the 25th February, 1696-7, on the reception of the report of a Committee of the Council, the Judgment was "reversed and repealed, and all "Issues thereupon declared null and void. (answer to Bill, p. 30.) This reversal has been thought to "confirm unquestionably the validity of the titles" of the Elizabethtown people, but it must be observed that there is no declaration made of the grounds of reversal. James Alexander and Joseph Murray on reviewing the case (Bill in Chancery p. 120) say, that "the special verdict agreed "upon, and on which probably the judgment was given, was not found by any "Jury, on the contrary the Jury to whom it was referred gave a general Verdict "for Jones: on both which points undoubtedly the judgment was erroneous "and ought to be reversed, had the case been never so clear against Jones on "the special verdict agreed to."—Nicolls, however, who appeared for the appellant before the Council, stated on his return that "to the best of his remembrance the sole dispute was whether Col. Richard Nicolls as Governor under "the King of England in those parts might not grant Licence to any of the "subjects of England, to purchase Lands from the native Pagans "and if upon "such Licence and Purchase the English subjects should gain a property in the "Lands so bought? all which was resolved in the affirmative and the Judgment "given to the contrary accordingly be reversed." (Answer to Bill, p. 31.)

One of the Committee of the Council before whom the case was argued was Chief Justice Holt, who seventeen years before, had joined with seven other distinguished lawyers in giving the opinion which has been already referred to (see Page 159) in which is this pregnant passage—"If any Planter be Refractory, "and will insist on his Indian Title or Purchase, and not submit to the Laws of "Plantations; the Proprietors who have the Title under the Prince, may deny "them the Benefit of the Law, and prohibit Commerce with them, as opposers "and Enemies of the public Peace." (Bill in Chancery, p. 41.) Is it probable that the decision in 1697 was inconsistent with the opinion of 1680? If the decision turned *solely* upon the question whether any property was required by the purchase "from the native Pagans," and asserted the acquisition of such "property," was it anything more than that *equitable right* which required confirmation in the mode prescribed by the Proprietors? They never controverted the fact that the first settlers did "gain a property in the lands so bought," but claimed a compliance by them with terms of the confirmation of the purchase which they themselves had sought from Governor Nicolls, that is, "the "rendering and *paying yearly* unto his Royal Highness, the Duke of York, on "his **ASSIGNS** for ever, a *certain rent* and performing such acts and things as "shall be appointed," &c.

I consider it therefore very evident, that there could not have been anything in the reversal of the judgment in the Jones Case, at variance with the opinion the learned counsel had previously given. We are without any information as to the effect of the reversal in the province.

COMMERCIAL PROJECTS IN NEW JERSEY DURING THE CONFEDERATION.

LETTERS FROM JOHN RUTHERFURD, UNITED STATES SENATOR FROM NEW JERSEY FROM 1791 TO 1796, TO A MEMBER OF THE NEW JERSEY HOUSE OF ASSEMBLY.

From the Original Draft, presented by John Rutherford, Esq.

[The necessity for the "more perfect Union," which the Constitution of 1787 was intended to effect, is clearly shown by these letters. Under the Confederation every State was naturally led to regard its own interest solely, and, consequently, the greatest diversity would have existed in both the internal and external policies of neighboring communities, had not the Constitution with its healthful provisions been adopted, to "promote the *general* welfare."]

NEW JERSEY, 16th May, 1783.

Sir : In a Conversation I had with you yesterday concerning the Benefits of a foreign Trade to this State of New Jersey, you seemed pleased with what I then advanced, but acknowledged you was but little informed on that subject, and you believed it was also the case with many members of your House; that however well disposed to promote the good of the State, yet their minds had been more turned to Country Affairs than matters of that kind; and you was pleased to request me to give you my Thoughts in Writing, that you might consider them at Leisure; and if need be to communicate them to others of the House in your Situation: I heartily wish it were in my Power to do Justice to the Subject, and to convince you as much as I am myself of the Necessity we are under of encouraging Trade, and how much it is now in our Power effectually to secure it.

The Advantages of Commerce are now generally allowed, as we have so many glaring Proofs before our Eyes; what else makes so small a Country as Holland with so many local disadvantages so considerable a People? what else has enriched the Republicks of Venice, Genoa, Hamburg and Dantzick? France possesses no Mines of Gold or Silver, but her Manufactories and Commerce has made her the greatest Kingdom in Europe. And the Power and Wealth of Britain has astonished all the World, the Basis of which is her Commerce. But to leave foreign Instances, has not the greatness and Opulence of Boston, Philadelphia, and New York, been solely owing to their great Trade? and it is well known, that above one third Part of all public Taxes raised in the State

of New York, were always punctually paid by the City, owing to the great Estates of the Merchants there ; Tho' the State itself is very large, possesses many valuable Products, and is inhabited by many rich gentlemen, and very wealthy Farmers, Nor must we forget Newport, which tho' the Capital of a very small Territory, by their Extensive Trade has made themselves truly considerable.

If such be the advantages of Commerce, let us contrast the Object, and here Spain first occurs to us, which with every Advantage of Climate and Soil, and the Wealth of all the Indies poured into her Lap, is still but a second Rate Nation from their want of manufactories and Trade.—Portugal tho' a smaller Object, is exactly in the same Predicament, and so of the rest of the Powers of Europe, their Wealth or Poverty is in proportion to their Trade. Let us cast our Eyes on this Continent, and we shall find that the same Cause produces the same Effects. Connecticut is a fertile Country and abounds with many valuable Articles of Commerce, yet as their foreign export is small, and their Trade is mostly carried on to Boston and New York, to these Cities they are greatly indebted, if they issue Bills of Credit, tho' they bear Interest, their Circulation goes heavily, their Farms are often sold by the New York Merchants, and before the War there was no Man of considerable Property in the whole State. The Circumstances of New Jersey were much similar, our Trade was carried on by New York and Philadelphia, to these Cities we owed amazing Sums, nor could borrowers be supplied within the State, and we all know the expence and Inconvenience of owing money at such a Distance, our Merchants were also obliged to go to these Towns to supply themselves with Goods, and their Expences, Carriage and loss of Time laid a Charge on their Wares of at least 5 p Cen^t. by this means none of our Dealers grew considerable among us, and were unable to undertake foreign Adventures. Instead of having a large Town among us of general export and import, and markets for all our Produce, we were obliged either to cross the Water with them at great Charge, to sell at low rates, and often entirely to lose the sale, especially for small Articles raised on a Farm ; but the necessity of keeping money among us is now more essential than formerly, for our great and necessary Taxes ought in equity to our Creditors to be punctually paid ; yet if Matters go on as usual how is it possible for us to find Money. How many of us remember that in the Year 1764 tho' at that Period we had Province Bills in Circulation to the amount of near £300,000—yet being called upon for an Aid against the Indians we were obliged to issue a further considerable Sum, not to be sunk finally before the year 1783. and tho' our Taxes did not exceed £15,000 p Annum, yet in many Places

it was difficult to collect it, and few were able to lend £100 to a Neighbour, while at New York, scarce any Money but that of New Jersey was current, some Merchants there had £10,000 by them to put out, besides having £50,000 or upwards on Bond, and sufficient Stock in Trade.

The States of Maryland and Virginia have many Advantages in Soil, and Situation for Trade, and besides many smaller Branches of Produce, their Staple of Tobacco alone is in Value above a Million and a half of our Money yearly, it might be thought that Money would be a Drug in such Countries, yet the reverse is the Case, the Trade is almost entirely carried on from Europe and by Strangers, Money is actually scarce there, most of the Planters are much in Debt, and many New York or Philadelphia Merchants can command more Money than the richest of them.

I might give more Instances on this Subject, but supposing it already sufficiently clear, I shall not enlarge, but endeavour in my next to point out what seems to me the most likely means of obtaining at this critical Juncture this desirable End.

I am, Your hum. Ser^t,

NEW JERSEY, 17th May, 1783.

Sir : In my last I endeavoured to show the Advantages arising from Commerce, with which if we are fully imprest and will now act with a Liberality of Sentiments, it is my firm persuasion that we may obtain for this State what seems now the governing Principle of the Politics of the most flourishing Nations in Europe.—Some have proposed that we should lay a Duty on every Article of our Produce carried to any of the Neighbouring States, and also a Duty upon every Article of foreign Produce brought from thence. But this Proposal is liable to the following Objections. 1st. Are we sure that we have Merchants among ourselves with sufficient Capitals and Shipping for carrying on an Export Trade. 2^d. Might not our few Merchants have a Monopoly against the whole State, and give us what Prices they please for our Produce. 3^d. If Prices were higher at the great Towns, would not this be a great Temptation to smuggle, and who could blame the Farmers who bear almost the whole burthen of the Taxes, and considering our extensive Coast to prevent smuggling would be attended with great Charge. 4th. Might not the neighbouring States be provoked at such a Law, and prohibit us from carrying any Articles to them, tho' perhaps our best Market, and not wanted in our foreign Trade? To make Trade flourish, it must be free from all Shackles. In the first Place then, we should make a Law, to declare all our Ports free for a certain Term of Years,

and to be free from all Imposts during said Period. Secondly that said Law should express that all Merchants or Mechanicks who inclined to settle among us on taking the Oaths to the State should have all Manner of Protection and Encouragement. 3^{dly}. That there should be a Clause of general Amnesty, the fewer Exceptions the better, either by Name or description, as is common in all Governments. To point out the Benefits that would arise from this Law, let us consider ; That by making free Ports it would be following a Measure that has been often practised with the greatest Success, Witness Holland nearly in this Case. Leghorn that suddenly rose to great Note, and many other Sea Ports ; and as to taking off all Imposts, in the present State of our Commerce it would be giving up nothing, and would encourage an immediate Importation, and furnish the Goods cheaper to Farmers, who ought to have every Indulgence, and prevent us buying from our Neighbours who have or intend to load their Imports with Duties. That such Ports would even encourage Merchants residing in other States to send Cargoes of Goods to be stored here, either on Speculation or to remain Duty free till called for, as is the Case in Europe with Holland, and was the Case with ——— which as a free Port was the general Mart of all surrounding Nations, and converted a barren Rock into a Place of great Importance. Perhaps some may think that the free Port should be confined to one Place, and, that by laying Duties on the Importation to the others, it would ease the Lands in the Taxes. I shall not pretend to decide this Question, tho' I rather incline to think for the present that the Freedom should be general, which alone will give a great Advantage to the Farmers in raising the Markets by bringing them to their Doors, and in lowering the Prices on the Goods they want for their Consumption.

But it is obvious we have not Merchants among us with Capitals sufficient to carry on these great Operations, which our Traders will readily acknowledge, and such as are of an enlarged way of thinking, so far from wishing to confine the Trade to the present sett, are sensible that Merchants thrive by Merchants, and that by encreasing the Number with ample Capitals would be an Advantage to them, and this brings me to the second Clause of the Law proposed, to give Protection and Encouragement to all Merchants, which by good Information at this critical Juncture would bring very many wealthy Merchants among us with Capitals as I have been informed to the amount of more than a million of money, all expert in their Business, who have in general acquired their great Fortunes by their Industry and their connections in Trade with every foreign Port. To obtain such valuable Subjects is worthy our most serious Attention, and if neglected at this Crisis such an Oppor-

tunity can never be recalled. For it is past a Doubt that such a Capital in such Useful Hands would give a new Complection to the whole State; Would greatly encrease the number of our People; give Employment to our Youth now languishing in Idleness; raise the Rents of our Lands and Houses, and consequently raise their Value; lower the Prices of Goods; furnish Sums to the Borrowers without going out of the State; make Money plentier; and make both the Farmer and Mechanick better able to pay their Taxes, which is a thing we should principally have in View.

The third Clause of the Law proposed would necessarily follow the Preceding, and such a general Amnesty would mark this State for a Liberality of Sentiment among all Nations, and I am fully persuaded could be of no Ill Consequence to the Peace or Harmony of the State, for admitting that they were connected or engaged in Opposition to us in the late Contest we have so gloriously ended, if we can suppose they have any feeling or Resentment, they must hereafter consider with Indignation a Nation who has so shamefully abandoned them, and will be bound by Oaths and Gratitude to support the Country they shall adopt, and which gives them a generous Asylum. Neither would such a Law be at all a new Precedent, does not every Country in Europe receive with open Arms the Refugees from other Countries, and what great Advantages have they reaped from it? Does not France make Laws to encourage them, not only by an Exemption from Taxes, but contrary to the fundamental Principles of their Government allow them the free Exercise of their Religion? And is not such an Act of Amnesty or Grace published after every Revolution, and so lately in Britain as the year 1745 with a very few Exceptions?

I cannot conclude without observing that no Time should be lost in adopting this most useful Proposal, for I am certainly informed that General Parsons and several other persons of Eminence from Connecticut State have been at New York inviting some of the Capital Merchants and monied Men of that City to come and reside among them, and assuring them they will meet with every Indulgence, which corresponds with the Liberality and Policy they shewed during the War by inviting the Refugees of New York State among them, and exempting them from all Taxes: but I am well informed that the Merchants and many Useful Mechanicks would prefer this State could they meet with similar Encouragement.

* I was lately asked what loss I apprehended our trading at second

* This letter was submitted to James Parker, of Perth Amboy, for his criticism, and in the copy from which this is printed this paragraph is given as

hand to New York and Philadelphia might be to this State. Tho' it may be difficult to decide this question with Precision yet by comparing the accounts given me by the most Intelligent Storekeepers in the State I compute that one with another they formerly sold to the amount of £2,000 yearly—That in the Whole State there are at least Two hundred Storekeepers ; this gives the Sum of £400,000 for our annual Imports, to which our Exports must at least be equivalent, and allowing the loss of Charges carriage &c, to be only 5 p Cent, makes the Damage this State sustains to be £40,000 a year, besides many other Inconveniencies—Perhaps you may think this Estimate high, but I assure you I lately heard a man of Extensive knowledge in Trade estimate the former Loss to this State at £50,000, and he gave it as the certain reason why this State was always poor and so deeply sunk in debt to our Neighbours—can we be said to be independent while groaning under such burthens ?

As these Letters are intended to inform the Minds of many well wishers to this State, you are at Liberty to make any Use of them you may think proper, in the rough State they occurred to me.

Hoping your Sentiments will coincide with mine, which I am confident are solely dictated for the Prosperity of this State,

I am sir, Your very hum. Ser^t,

amended by him. There are also other verbal corrections made by him in other parts of the letter.

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SECOND SERIES,

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1870-----1872.

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1872.

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ERRATA.

Page 59, Line 15, for " D. Maclean" read *Rev. Dr. Maclean.*

" 81, Line 7 from bottom, for " Sickey" read *Sicker.*

" 146, Line 8 from bottom, for " complete" read *complex.*

" 154, bottom line, for " Jame Veech" read *James Veech.*

" 154, Line 14 from bottom, for " Charles J. Kip, M.M." read *Charles J. Kip, M.D.*

" 190, for " Edward Salter" read *Edwin Salter.*

PROCEEDINGS
OF THE
New Jersey Historical Society.

SECOND SERIES.

VOL. II.

1870.

No. 1.

TRENTON, January 20, 1870.

THE Society held its annual meeting in accordance with the By-Laws, the Hon. RICHARD S. FIELD, President, taking the Chair at 11.30 A. M., JOHN RUTHERFURD, Esq., one of the Vice Presidents, being also in attendance.

The minutes of the last meeting were read by the Recording Secretary, and approved.

The Corresponding Secretary submitted his report of the correspondence since May, and laid before the Society letters from Messrs. James B. Coleman, M. D., Martin Voorhees and Edmund L. Joy, Rev. E. T. Corwin and George B. Bacon, accepting membership; from Mr. Wm. H. Whitmore of Boston, requesting information as to the character and extent of the Society's publications; from Mr. Joel Munsell of Albany, asking for certain volumes; from the Historical Societies of Minnesota, Maine, Massachusetts, Pennsylvania, New York, Maryland, New Haven Colony, Connecticut and Georgia, the Wilmington Delaware Institute, American Philosophical Society, Numismatic and Antiquarian Society of Philadelphia, Essex (Mass.) Institute, New England Historical and Genealogical Society, Smithsonian Institution, State Librarians of New Jersey and New York, American Antiquarian Society, all, either acknowledging the receipt of the Society's publications, or asking for them to complete their sets; from Hon. G. Edmunds, U. S. Senator from Connecticut, with donation of twenty-five volumes of the United States "Roll of Honor;" from the Historical Society of New Hampshire, relative to alterations in the names of our vessels of war; from the

Franklin Society of Chicago, transmitting a book for the library and soliciting exchanges; from J. Gilbert Young, M. D., with donation for the library; from L. C. Draper, Corresponding Secretary of Wisconsin Society, asking for statistical information respecting the Society; from Mr. B. Ayerigg of Passaic, tendering an old bell, cast in Holland in the last century for one of the early Dutch churches near Hackensack; from J. F. Tuttle, D. D., and others, relative to the operations of the Society.

The Librarian submitted a report of the additions made to the library since the last meeting, which will be found on a subsequent page.

The Treasurer presented a report of the receipts and expenditures for the year 1869, properly audited, and showing a balance in the Treasury of \$639.22, and \$1,220 invested.

The Executive Committee presented their annual report, congratulating the members of the Society upon the measure of success which had attended its operations during the quarter of a century which had elapsed since its organization, while at the same time they could but base upon that success an appeal for greater industry and devotion to the interests the Society had undertaken to subserve—the *discovery*, *procurement* and *preservation* of whatever related to any department of the history of our State and country.

"If the Society, in its infancy," said the Committee in their report, "with all its plans undeveloped, its usefulness entirely prospective, could gather within it so many of the most prominent men of the State at that period, as the list of original members presents, surely now, that the plans they framed and the interests they fostered have produced the results of to-day, those who have succeeded them ought to feel such promptings of gratitude as should lead to efficient measures for promoting the work they so well devised.

"It is true, the Society can point with just pride to its publications and its library; by the one it has added to the historical literature of the country works of acknowledged merit, and by the other has greatly facilitated the production of still further contributions, but there is no warrant for any intermission in either branch of service. The history of the State is not yet written, nor will it be so worthily, if the fact is forgotten that it is not only with the past we have to do, but that we are enacting history daily, and that only through the record of passing events will that history be perpetuated. It is the office of our Society

to 'gather up the fragments, that nothing be lost,' and to that end should we, who profess to entertain a desire to advance its purposes, be willing to contribute a due proportion of our time and means.

"It must be apparent to all, that, as the main spring of our material progress lies in our pecuniary resources, and that, as we have no endowment or State appropriation to fall back upon, it can only derive its force and efficiency through individual exertion; it is therefore a problem for the Society to solve—By what means can that individual exertion be aroused and directed?

"The Society thus far has mainly depended upon a few of its members, acting outside of any prescribed duties, for all its monetary arrangements, but the Committee are of opinion that the service should be performed, and in all probability would be so more efficiently, by a Standing Committee of Finance, whose particular duty it should be to adopt from time to time such modes of raising the necessary funds as they may think advisable; and they would suggest that an amendment to the By-Laws be prepared, to be acted on at the next meeting, authorizing the creation of such a Committee.

"The Committee cannot close their report without adverting in terms of regret to the death of the Rev. DANIEL VEACH McLEAN, D.D., which occurred on the twenty-third day of March last. Dr. McLean, then Pastor of the Presbyterian Church at Freehold, was one of the originators of the Society, and it was at his instance that the meeting was held at which the organization was perfected, and while a resident of the State he always attended its meetings, and proved an efficient co-worker with its other founders, having filled the position of Chairman of the Executive Committee for four years.

"After a residence of six years in Pennsylvania, as President of La Fayette College at Easton, and of four years in Europe, he returned to New Jersey and renewed his associations with us, and was present at our last meeting, promising himself further service in advancing the interests of the Society.

"Dr. McLean was a Pennsylvanian by birth, having been born in Fayette Co. on 24th November, 1801, removing to New Jersey in 1831."

The Committee on Publications reported the issue of another number of the "Proceedings" of the Society, which had been distributed to all members not in arrears.

The Society has now published eleven volumes of its "Proceedings," comprising over 2,200 pages, and containing an unbroken history of the Society's transactions for a quarter of a century, which few kindred

societies have succeeded in preserving. The six volumes and supplement published as "Collections"—each volume being a separate work—comprises nearly 2,500 pages more, so that the Society's contributions to the history of the country compare most favorably with those of any other Historical Society, and the Committee recommended to the members of the Society the acquisition of complete sets while they are obtainable.

The Committee on the Library submitted the following report:

"The Committee would inform the Society that, with a view to enforce the recommendations of their report at the May meeting, they recently issued a circular, calling upon the members to subscribe to the Library Fund as the best mode of evincing their estimation of the work of the Society, and their appreciation of the value of the Library, which constitutes so important and interesting a feature of its organization; and they regret to say that their appeal has been attended with very indifferent results. They report the fact, leaving it to the Society to devise such measures as may be deemed advisable to effect the object in view, which is the establishment of the Library on a more permanent basis and with greater means for its preservation, and affording to the members and to historians generally, increased facilities in its use. While it may be cause for congratulation that under so many discouraging circumstances it should have attained to its present dimensions and usefulness, yet no one visiting the rooms can fail to perceive how very far short it comes of its full capabilities, solely through the want of enlarged pecuniary resources. It is for the Society to say how they shall be secured."

A considerable number of new members were elected and new nominations received, and the following Standing Committees for 1870 were appointed by the Chair.

On Publications.—William A. Whitehead, Henry W. Green, Samuel H. Pennington, M. D., John Hall, D. D., and John Rutherford.

On the Library.—Joseph P. Bradley, Peter S. Duryee, John P. Jackson, Martin R. Dennis, with the Treasurer and officers residing in Newark.

On Nominations.—David A. Hayes, Peter S. Duryee, and Rev. R. K. Rodgers, D. D.

On Statistics.—N. Norris Halsted, F. Wolcott Jackson, Rev. Samuel Hamill, D. D., E. M. Shreve, and Arthur Ward, M. D.

Messrs. Jacob R. Shotwell, Robert B. Campfield and Ralph Voorhees, were appointed a Committee to nominate officers for the year, who subsequently presented the following list, which was unanimously adopted:

President,

RICHARD S. FIELD.....Princeton.

Vice Presidents,

HENRY W. GREEN.....Trenton.

JOHN RUTHERFURD...Newark.

RAVAUD K. ROGERS, D. D.....Boundbrook.

Corresponding Secretary,

WILLIAM A. WHITEHEAD.....Newark.

Recording Secretary.

DAVID A. HAYES.....Newark.

Treasurer,

ROBERT S. SWORDS.....Newark.

Librarian,

SAMUEL H. CONGAR.....Newark.

Executive Committee,

SAMUEL H. PENNINGTON, M. D.....Newark.

CHARLES S. OLDEN.....Princeton.

N. NORRIS HALSTED.....Kearney, Hudson Co.

JOHN HALL, D. D.....Trenton.

SAMUEL M. HAMILL, D. D.....Lawrenceville.

JOHN CLEMENT.....Haddonfield.

CHARLES C. HAVEN.....Trenton.

WM. B. KINNEY.....Newark.

PETER S. DURYEE.....Newark.

With a view to carry out the suggestions of the Executive Committee Mr. WHITEHEAD submitted the following resolution, which was adopted:

Resolved, That the By-Laws be referred to a special Committee of three for revision, with the view of making them conform to the suggestions of the Executive Committee, relative to the creation of a Committee on Finance and to the present circumstances of the Society; that said Committee report at the next meeting of the Society, and that this resolution be regarded as a notice covering any amendment that they may propose in accordance with the requirements of the 12th By-Law.

Messrs. Whitehead, Pennington and Swords, were appointed the Committee.

The Rev. HENRY C. BUSH made some remarks upon the inaccuracies

in the published accounts of the battles of Trenton and Princeton, and with a view to their correction offered the following resolution :

Resolved, That the President and Corresponding Secretary be a Committee, with authority to obtain, if possible, for the Society, a copy of the address delivered before the Society in 1853, by the Rev. WM. DODD, giving the details of the battle of Princeton, and also of the illustrated map exhibited by him at that time.

Mr. C. C. HAVEN, in reference to the battle of Trenton, said that all doubts and discrepancies connected with the two conflicts occurring there, would be found all disposed of in his publications on the subject, and detailed at some length the movements of Washington's army at the time.

Mr. Bush' resolution was adopted.

Mr. N. PERRY, Jr., offered the following resolution, which was adopted :

Resolved, That the Treasurer be authorized, after giving due notice thereof, to strike from the Roll the names of all such persons as are delinquent for more than three years in the payment of dues.

Mr. Whitehead presented from Rev. Joseph F. Tuttle, D. D., a "Sketch of the Rev. Barnabas King, D. D.," the pastor of the First Presbyterian Church in Rockaway during the first half of this century, whose influence wrought such important changes in the character of the people of that region. The paper was referred to the Committee on Publications.

At the afternoon session the Hon. L. Q. C. ELMER read a paper embodying his personal reminiscences of the Bench and Bar of New Jersey, which was listened to with marked attention. On its conclusion Mr. HAYES, after some complimentary remarks, offered a resolution asking for a copy of the paper, and also that the Judge should continue his labors, with a view to the ultimate publication of a volume by the Society containing them, which, after some remarks from the Chair, was adopted.

The Society then adjourned to meet in Newark in May.

MEMBERS ELECTED.

Members Elected

JANUARY 20, 1870.

HONORARY MEMBER.

J. Watts de Peyster, *Tivoli, N. Y.*

RESIDENT MEMBERS.

Robert S. Braine, M. D., *Irrington.*

Garret Byrne, *Newark.*

Samuel S. Clark, M. D., *Belvidere.*

R. Newton Crane, *Newark.*

James W. Corey, *Newark.*

James B. Cutter, M. D., *Newark.*

James M. Durand, *Newark.*

John O. Flood, *Newark.*

Frederick Frelinghuysen, *Newark.*

Edmund Drake Halsey, *Morristown.*

Samuel M. Hewlett, *Irrington.*

Wm. A. Howell, *Newark.*

Sanford B. Hunt, M. D., *Irrington.*

John H. Landell, *Newark.*

John McGregor, *Newark.*

Stephen M. Mershon, *Middlebush.*

William W. Morris, *Newark.*

Henry N. Parkhurst, *Newark.*

J. Marshall Paul, M. D., *Belvidere.*

Theodore F. Randolph, *Morristown.*

Edward Sealy, *Newark.*

William S. Stryker, *Trenton.*

Benjamin A. Vail, *Rahway.*

Daniel M. Skinner, *Bellerille.*

Donations

ANNOUNCED JANUARY 20, 1870.

From the Wisconsin Historical Society—The History and Development of Races. Annual address before the Society Feb. 23, 1869, by Hon. Harlow S. Orton.

From the Iowa Historical Society—Annals of Iowa, April, July and October, 1869.

From the N. E. Hist. and Genealogical Society—Register and Antiquarian Journal, July and Oct., 1869, Jan. 1870.

From the Essex Institute—Bulletin of the Institute, Vol. I, No. 3.

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Courage, Love and a Sound Mind; a Baccalaureate Discourse before the Class of 1869, by President Tuttle, of Wabash College.

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THE
EARLY HISTORY
OF
MORRIS COUNTY, NEW JERSEY,

BY THE

REV. JOSEPH F. TUTTLE, D.D.

PRESIDENT OF WABASH COLLEGE, INDIANA.

READ BEFORE THE SOCIETY,

May 20th, 1869.

THE EARLY HISTORY OF MORRIS COUNTY.

It is not my design to write an elaborate history of the *County* of Morris, but rather to make a few statements concerning it which seem to me to be interesting and important, since every community has a history which, if properly related, must be interesting and even important, at least to those who belong to it. In its beginnings and progress it may have borne a very humble part in the grand drama which the world is acting, and yet humble as that part may be, it was grand to those who acted it. There is not an old community or church in any old county in our State whose history has not a very considerable interest to the local antiquary and historian. It may never have held a very prominent position as related to the general commonwealth. It may be neither a Wittenburg or a Geneva, the center of moral revolution, a Runymede or Philadelphia, rendered famous by some immortal scene, the birth of a Magna Charta or the publication of a Declaration of Independence. Its history spread out on the pages of general history might seem out of place or be eclipsed by the more distinguished deeds recorded on the same pages, and yet that humble history has the merit of being in a sense personal to ourselves. Here the fathers of such a community fought the battle of life, wrestled with the problems of moral responsibility, loved the loving, pitied the sorrowful, helped the weak, wept over the dying; here they laid the foundations of the social fabric as best they could, often in a very blind yet honest method, lived life as we now live it, and they died leaving their graves to us as silent monitors not to permit them to sink into forgetfulness. Although not as great as many who have lived, they are our forefathers, and the work they did for us merits a grateful record at our hands.

The beginners of society in Morris County were plain people, many

of whom had very little education. The records of the county and of several churches which date back far toward the first settlement on the Whippany River, prove this. I have spent not a little time and effort to fix a precise date to the foundation of society in the county, but with no marked success. In the year 1767, the Rev. Jacob Green, the third pastor of the Hanover Church, wrote what he called a "History of the Hanover Presbyterian Church." This is copied from a book in which Mr. Green recorded baptisms. In a preface to this manuscript record Mr. Green writes that "about the year 1710 a few families removed from Newark and Elizabeth, &c., and settled on the west side of the Pessaick River in that which is now Morris County. Not long after the settlers erected an house for the publick worship of God on the bank of the Whippenung River (about three miles west of the Pessaick River), about one hundred rods below the Forge which is and has long been known by the name of The Old Iron Works. There was a church gathered in the year 17—. Mr. Nathaniel Hubbel was ordained and settled by the Presbytery of New York. About this time this place obtained the name of Hanover and became a township, but the place was most commonly known by the Indian name Whippenung. Mr. Hubbel continued to minister here till —, when for some uneasiness between him and the people he was dismissed. This church then had no proper book of Records. And if Mr. Hubbel kept any church records upon paper of his own they were not left to those who came after."

Mr. Green began his ministry in 1746, when some of the pioneers were still living, and he could have easily found the date of settlement and given the names of the settlers and many facts of interest, but it is too often true that to those who are near the facts of which history is composed, those facts do not seem of great value, at least not enough to cause them to be carefully preserved. By way of extenuating "Parson Green" for not securing in permanent form these un-merchantable statements as to who the early settlers were and when they came and what they did, all of which were then within his easy reach, it may be alleged that he was a man of many callings, a very busy man. His salary was small, and he says this "led him to take more worldly cares and business than he could have chosen." His people encouraged him in this course, assuring him "that country congregations could not have ministers unless ministers would take some care to provide and help support their own families." He studied and practiced medicine, he had a school under his care, often wrote and executed wills for his patients and had a share both in a grist mill and a distillery. Some

wag is said to have directed a letter to him with this somewhat comprehensive superscription :

"To the Rev. Jacob Green, Preacher,
And the Rev. Jacob Green, Teacher ;
To the Rev. Jacob Green, Doctor,
And the Rev. Jacob Green, Proctor ;
To the Rev. Jacob Green, Miller,
And the Rev. Jacob Green, Distiller."

In regard to his numerous avocations, he said in his autobiography : "When I entered upon worldly schemes I found them in general a plague, a vexation, and a snare. If I somewhat increased my worldly estate, I also increased sorrow and incurred blame in all things except the practice of physick." *

It is not hard to account for such a man's neglect to collect and record history which was then too recent to seem of much importance, and yet it is very annoying that the good man who as pastor and physician was constantly meeting those who could have told him the very facts we so much desire to know, should not have interrogated the witnesses and recorded their answers.

The earliest reference to Morris County that I find, is in a letter of David Barclay, Arthur Forbes and Gawen Lawrie, to the Scots Proprietors of East Jersey, under date of March 29, 1684. In answer to query seventh, they say : "There are also hills up in the countrey, but how much ground they take up we know not, they are said to be stony and covered with wood and beyond them is said to be excellent land.† At that time the region thus mentioned must have been *terra incognita*. How early it was explored and surveyed, I have not with certainty ascertained. The unvarying tradition has been that the first settlement was made at Whippany, and another tradition declares that Abraham Kitchel, grandson of the Rev. Abraham Pierson, Sen., of Newark, and the two brothers Timothy and Joseph Tuttle, were among the earliest settlers, but this is not verified by an examination of their deeds,‡ which fix the

* Dr. Green's Christian Advocate, X. 52.

† E. Jersey under the Proprietors, 291.

‡ A deed still in possession of a descendant of Abraham Kitchel, dated May 5, 1713, and given by "John Prudden, quondam minister," conveys a tract of ground in Newark to Abraham Kitchel, of Newark. In 1718 John Baldwin conveys a tract of ground to Abraham Kitchel, of Newark. On the 20th of May, 1724, "Rebecca Wheeler, of Burlington," deeded to Abraham Kitchel 1075 acres east of Whippany River, a part of which is still occupied by one of his descendants, Joseph Kitchell, of Hanover Neck.

date of Abraham Kitchel's removal to Hanover in 1724, at least fourteen years after the original settlement is supposed to have been made. On the 2d of April 1726, Timothy Tuttle conveyed to his "loving brother Joseph Tuttle, of Newark," certain real estate in that place. It is supposed—the deeds are not now to be had—that Timothy Tuttle removed to Morris County the year he sold real estate to his brother. On the 23d of January, 1733-4, John and Samuel Johnson, of Newark, deeded to Joseph Tuttle, of the same place, some real estate in Newark, so that he was then still a resident there. Meanwhile he had purchased, in 1725, a large tract of land on Hanover Neck, a part of which is still occupied by one of his descendants.

Who then *did* settle first at Whippany, and when did they settle there? It is very certain that there had been some settlement previous to 1718, for on the second day of that year one "John Richards, of Whipanong, in the County of Hunterdon, in the Province of New Jersey, Schoolmaster," was the owner of a tract of land which is now known as the Whippany Burying Yard, in the northwest corner of which, for many years, stood the First Presbyterian Church. At that date the "Schoolmaster," "for and in consideration," as he said, "of the love, good will and affection which I have and do bear toward my Christian friends and neighbours in Whippanung aforesaid, as also for the desire and regard I have to promote and advance the publick interest," gave the described tract of land for the site of "a decent and suitable meeting-house for the publick worship of God," as also for "a school-house, Burying Ground, Training field, and such like publick uses." The lot contained three and a half acres. In the deed he speaks of his land as being "in the township of Whipanong, on that part commonly called Peurpenong, on the northeasterly side of the Whipanong River."

It is fair to infer that considerable progress had been already made, but at present I can give no information as to the precise facts. My conjecture is that the original settlers may have been squatters, making iron from the Succasunna iron ore, with the boundless forests in the region which they converted into coal. The tradition is that the ore was brought in leather bags on pack-horses from the great mine now known as "the Dickerson Mine," which at that time and for many years afterward exposed vast quantities of ore above ground.

As bearing on the question, it may be said that the copy of a deed may be seen in Trenton which indicates that in 1715 a tract of land had been surveyed in the present township of Morris.* No doubt some-

* East Jersey Records Liber F. 3, p 28.

where still remain the facts in books of records, or unrecorded deeds and wills, which shall throw light on the settlement at Whippany.

In 1713 James Wills, an Englishman, bought of the East Jersey Proprietors a large tract of land in and about what is now called Ralstonville, about one mile west of Mendham. In 1722 James Pitney bought land of his brother which had previously been purchased of the Proprietors. It is impossible to determine at what date Mendham was settled. Even the proximate date of the founding of that church is only inferred as being previous to 1738, when its name is mentioned in connection with the Presbytery of New Brunswick. Dr. Hastings thinks it was organized about 1735 or 1736.* In 1745 Edmund Burnet made a deed of its yard and site to the Mendham Church, in which, with original orthography, he speaks of himself as "Edmon Burnnant, of Rocksiticus, in ye County of Summerset in East nu Jareses In Amara-cah," for certain reasons giving the congregation "A scairtain pees of parsel of Laud on which the meeting Hows Now Standeth."

It will be remembered that thus far the earliest definite fact ascertained is that in 1713 James Wills purchased a tract of land at Mendham, and that he probably settled on it at that time or soon after. At Hanover the settlement was "about 1710," but the actual dates as derived from deeds do not go back of 1715 and 1718, although it is evident that earlier purchases had been made. If we now cross the mountains west of Hanover, we come to the region in which another actual purchase was made at an early date. These facts were received from the late Richard Brotherton, of Randolph Township, a very intelligent and worthy Friend, who professed to make the statements from documents to which he had access and which are supposed to be still in existence. Mr. Brotherton says that one Joseph Kirkbride located a tract of land in the present township of Randolph, in Morris County, as early as 1713, containing 4,525 acres, besides the usual allowance for highways, also in the same year a tract of 1,254 acres bounded on the southwesterly line of the first tract. The Succasunna Mine lot was located in 1716, by John Reading, and sold the same year to Joseph Kirkbride, containing 558 acres,† and after his death the tract was divided between his three sons, Joseph, John and Mahlon Kirkbride, except the mine lot, which was held by them in common until such time as the same should be sold.‡

* Hastings's M. S. on Mendham.

† Bounded on the northwest line and corners at the north corners of the said tract of 4,525 acres, making together 6,337 acres, besides the usual allowance for highways, which belonged to the said Joseph Kirkbride.

‡ In 1744 Henry Brotherton, the grandfather of Richard—my informant—bought

Mr. Richard Brotherton further states that the home-farm of Hartshorn Fitz Randolph was located July 30, 1713 (the survey being made by John Reading), and by him conveyed to Joseph Latham, who conveyed the same to John Jackson in 1722. The Executors of Edward Fitz Randolph (Nathan and Hartshorn Fitz Randolph), obtained a judgment against Jackson, and on the 15th of August, 1753, John Ford, the Sheriff of Morris County, sold the land which was purchased by Hartshorn Fitz Randolph, who occupied it until his death, which occurred in 1807. He bought other lands adjoining until his farm contained 800 acres.

This Hartshorn Fitz Randolph is said to have been a devout Friend, and to have had in his employ a man who was a singular character and allowed by his master almost as many liberties as "the King's fool." Tradition has preserved the following anecdote relating to the two, of the truth of which as much belief may be entertained as the circumstances may seem to warrant. It is said that on a certain Sunday morning Mr. Fitz Randolph wished to go to the Quaker Meeting-House on the opposite hill, but the brook was so swollen with rain as not to be very easily crossed. The man offered to carry him across on his back. When in the midst of the stream he stopped and said to Mr. Fitz R. "Will thee give me a quart of apple-jack if I take thee safely over?" "No, I will not; go on," said Mr. Fitz R. "But say, will thee give it me? for if thee does not, I will let thee down into the water!" "I must not give thee that which will do thee harm." "But *I* say thee *must* give it me or I will let thee down into the water quickly!" was the reply of the impudent fellow, whose motions indicated that he meant what he said. "Well I promise it, to give thee the apple-jack! now go on," said the Quaker. "But *swear* that thee will give it me!" persisted the man. "Thee knows that I must not swear!" "But I say thee *must* swear that thee will give me the apple-jack, or I swear I will put thee quickly into this water!" "Well, well," said Mr. Fitz R., "thee is very unreasonable, but thee has me in thy power, and so I swear that I will give thee the rum!" "There, now, Mr. Fitz Randolph, thee has done it!" exclaimed the man, with an ill-concealed chuckle, "thee has done it now! for thee has always said that *a man that will swear will lie*, and so I will let thee down into the water at any rate!" and he at once suited the action to the word, leaving his employer in no good plight physically or spiritually for the service he was designing to attend.

125 acres of one of the Kirkbride heirs, and in 1753 his brother, James Brotherton, bought 200 or 300 acres on Mine Hill of the same estate.

Mr. Brotherton states that Schooley's Mountain received its name from one William Schooley, who was an early settler on it. His son William came to Randolph Township in 1713 and purchased several hundred acres—about 600—of the Kirkbride family, including what is now Mill Brook, some three miles southeast of Dover. There, his son Robert Schooley built the first grist mill in that section of Morris County. Henry and Richard Brotherton, two brothers, and Richard Dell, married daughters of William Schooley, of Schooley's Mountain. Dell removed from Schooley's Mountain in 1759, to a tract of land which he purchased from the heirs of William Penn. This farm is two miles east of Dover, and on the south side of the Rockaway River. His son Thomas Dell bought land of the Kirkbride heirs a mile east of Mine Hill in the year 1786 and lived there until his death in 1850, when he was over ninety years of age. In 1756 that remarkable man, Gen. William Winds, from the east end of Long Island, purchased 275 acres of Thomas and Richard Penn and lived on the same until his death, October 12th, 1789. This farm is east of the village of Dover nearly a mile, and south of the point of Pine Hill. In 1757 Josiah Beaman, the brother-in-law of Gen. Winds, purchased 107 acres where Dover now is, and principally on the north side of the Rockaway River.

The tract of land south of the river where Dover stands, and including the water power which drives the Iron Mills at that place, was located and purchased in the year 1745. In 1739 one Daniel Canel purchased a tract of the Kirkbride estate in the vicinity of Dover, and a part of it is still occupied by his descendants. It is said that during the hard winter of 1740, when the snow was very deep, this Daniel Canel was obliged to carry hay on his back two miles and a half to keep his cattle and horses alive.*

It has already been stated that in 1713 John Reading surveyed a tract of land which was conveyed to Joseph Latham, who, in 1722, sold it to one John Jackson, who built a forge on the little stream which puts into the Rockaway near the residence of Mr. Jacob Hurd. The forge was nearly in front of Mr. Hurd's house. The first forge in Morris county was at Whippany, and this one, built by Jackson, a mile west of Dover, was probably the second. The wood for charcoal was abundant, and the mine on the hill not far distant. For some reason Jackson did not succeed in his iron manufacture, and was sold out by the Sheriff in 1753. I am not sure as to this John Jackson. James Jackson, of New-

* Richard Brotherton's MS. in hands of Rev. B. C. Megie.

town, L. I., the great-grandfather of the late Col. Joseph Jackson of Rockaway, had a son John among his twenty children. He was born March 9th, 1701. Joseph Jackson, son of the aforesaid James, was a resident near Dover, and with his son Stephen, was joint owner of what was "commonly known as Schooley's Forge," the beginning corner of which was "about one chain from Josiah Beaman's house." When John Jackson was sold out by the Sheriff, Josiah Beaman bought the forge, and it seems very probable that John Jackson's brother and nephew were the purchasers of a part of the forge built by John. This purchase was made in 1768, and the next year Joseph sold his right in that forge to "Stephen Jackson of Mendom, Bloomer." Stephen Jackson thus began his fortune in this humble way, and after a few years became the owner of the fine mill property at Rockaway, with large tracts of valuable lands. He once had the honor of entertaining Gen. Washington at his house, and was a man of great energy. He died in 1812.

My attempts to reach the earliest *documentary* dates concerning Rockaway have not been successful; but from careful examination I am led to conjecture that the settlement began not long after that at Dover, about 1725 or possibly as late as 1730, at which time a small iron forge was built near where the upper forge now stands in Rockaway. This statement embodies the opinion of some very aged men whose fathers had lived in the region from an early period. Among the men who worked that forge (whether the earliest is not known) were Abner Beach, grandfather of the late Col. S. S. Beach, and Isaac Beach, a nephew of his. The latter told his son Isaac, who died about twenty years ago, that he remembered to have seen an encampment of the Rockaway Indians a half mile south of the present village. The savages disappeared from the region a few years after the whites began to settle here, and were said to have been merged in the tribe of the Delawares. There was the remnant of an encampment also near where the Steel Furnace stands.

Among the early settlers in the vicinity of Rockaway and Dover, in addition to those named, may be mentioned Gilbert Hedden, spoken of in one deed as "a citizen of North Carolina," who built the first grist mill about half a mile below the Rolling Mill; David Beaman, a deacon in the church, chorister, miller, forgerman and a very busy man, who left property and numerous descendants, but whose grave is without a monument; Capt. Job Allen, a carpenter, a very public spirited man and good citizen, whose influence in founding the church was very

marked; Deacon John Clarke a most devout man, universally honored and "powerful in prayer;" and some others. There are two men who deserve special mention; Moses Tuttle of Mount Pleasant, and John Jacob Faesch of Mount Hope. Moses Tuttle was the son of Col. Joseph Tuttle, of Hanover, and was born in 1732. His death occurred in 1819. He married Jane, the daughter of Col. Jacob Ford, sen., a great landholder in Morris county. About the time of his marriage, in 1756, he removed to Mount Pleasant, three miles west of Rockaway, for the purpose of managing his father-in-law's iron works. By inheritance and prudence he became possessed of a fine tract of land, on which several valuable mines were discovered. He was a justice of the peace and a leader in society. Anecdotes are told which show his shrewdness. A very athletic young woman made oath that a young man had committed an atrocious assault on her. Squire Tuttle advised the young man to settle with her by offering her a sum of money tied up in a bag, which she at once received. The squire then directed the young man to take the bag from her by force, but she at once flung him from her as if he were a child, proving the falsity of the charge. She was at once arrested and punished for perjury.* Mr. Tuttle as the thrifty manager of a large forge property and real estate, once found himself to be a creditor to a considerable amount when the State Legislature made its worthless bills of credit a legal tender. This act of course reversed the course of nature, so that the strange sight was to be seen of debtors chasing down their creditors. Mr. Tuttle left the country as if he were a criminal fleeing justice, and spent two years in the wilderness State of Kentucky to escape his too willing debtors! He has left many descendants who are among our most estimable people.

John Jacob Faesch was a native of Hesse Cassel, and came to this country in the service of the London Company, who owned extensive tracts of land at Ringwood, Long Pond and Charlottenburg, at each of which places they erected furnaces and forges. These were built and for a time managed by a German, whose name was Hasenclever, who brought over a number of Germans and among them Mr. Faesch, who for a time assisted and then superseded him about 1766. His successor, early in 1772 and possibly in 1771, was another remarkable man, Mr. Robert Erskine, of Scotland, a large number of whose papers have been deposited with the New Jersey Historical Society. In passing it may be stated that Hasenclever is said to have gone to Mount Hope with

* Statement of Richard Brotherton.

Faesch, and died there. It has been currently reported that he left thirty pounds to the Rockaway church, on condition that his body should be buried under the pulpit, but I can find no record of any such money having been paid to the trustees, nor of his having been buried at Rockaway, although I suppose from the statements of old people, that he was buried there.

The London Company, as it was called, seems not to have been very successful pecuniarily, in the manufacture of iron. It could only make the crude iron and send it to England, all rolling and slitting mills in America being prohibited by the mother country, so that the business was conducted to the worst advantage. To cart the blooms and pigs thirty miles to New York, and then ship them three thousand miles, for conversion, was too heavy a cost for profit.

The reputation of Mr. Faesch in the community was good, both as a man of business and integrity. That Mr. Erskine had no confidence in him, in either respect, is evident from his private letters and from the fact that as the London Company's agent he sued him to compel him to refund property alleged to be retained unlawfully by him. In his letter to Cortlandt Skinner, Esq., in reference to "the bills in Chancery, filed against Mr. Faesch," he names £400 as the sum in litigation. In his correspondence with his employers, in 1772 and '73, he criticises his predecessor mercilessly as one who "without the consequence your business gives, any man will be a cipher; if he has conducted it dishonestly will be less than one. * * * * I cannot say I have observed in him, or any of his works, the least spark of genius. * * * * It is a criterion of genius I think, to be communicative from inclination, of which Mr. Faesch is the reverse." In one of these letters he says that "the farmers in the environs have been spoilt by Hasenclever." The Scotchman probably underrated the German's integrity, but as to his abilities as a business man we know that he finally came to bankruptcy, or nearly so, although the Mount Hope estate was a very productive one during the war, through government contracts. Faesch's reputation, in Morris county, as a man of honor was very high, and his mistakes at Ringwood were probably not the results of dishonesty but such as any man in such a place might easily and without blame make.

It was a popular and widely believed tradition, that the English government, believing that the Americans were mainly dependent on the London Company's works for iron, made an arrangement with that Company to destroy them, in order to injure the Colonies in the difficulties which were evidently approaching. It is very possible that some

such proposition may have been made, but the only evidence I can find at any attempt to carry it out is in the destruction of the works at Charlottenburgh, and the fact, stated to me by some old men, that in the forests about those works, they have often seen coal-pits which seem to have been burned down many years before, but the coal was not used, showing a violent suspension of business at some time. These works were destroyed and the common belief is that it was done by direction of the Home Company. Still it must be admitted that the basis of the rumor is quite shadowy. For an iron mill to burn up is not very extraordinary, certainly not so extraordinary, as for a conspiracy to burn several mills to have escaped the notice and record of such a vigilant manager and patriot as Mr. Erskine.

And here let me indicate a few meager facts about Ringwood, the headquarters of the London Company, as possibly aiding some one who may attempt to write its history as it deserves. I infer from records at Trenton, that "the Ringwood Company" preceded the London Company. April 15, 1740, Cornelius Board sells to Josiah Ogden, John Ogden, Jr., David Ogden, Sen., David Ogden, Jr. and Usal Ogden, all of Newark, called "the Ringwood Company," sixteen acres of land at Ringwood for sixty-three pounds. February 1st, 1764, Joseph Board sells to Nicholas Gouverneur of New York and David Ogden Sen., six acres and a half for six pounds ten shillings. The same day Joseph Board conveys to the company "a tract of land scituate lying and being at Ringwood, near the Old Forge and dwelling house of Walter Erwin." The tract was of the same size and price as the previous one. July 5th, 1764, The Ringwood Company sell to "Peter Hasenclever, late of London, Merchant," for £5,000, all the company's lands at Ringwood, in Bergen—now Passaic—County. The deed states that on the property there are "erected and standing a Furnace, two forges, and several dwelling houses." It speaks of "Timothy Ward's forge," also of the "Old Forge at Ringwood." The deed is signed by David Ogden, Sen., David Ogden, Jr., Samuel Gouverneur and Nicholas Gouverneur. John and Usal Ogden deed their share to Hasenclever on the same day, but in a separate conveyance. Hasenclever also bought land in vicinity of Ringwood of Joseph Wilcox and Walter Erwin the same year, also a tract of sixty-eight acres of David Ogden, "lying in the mountains between the two rivers, Romapoek on the east and Wanque River on the west, at a place called Rotten Pond, in the County of Bergen." He also bought of one Delancy and others 10,000 acres, three miles from Ringwood, at £30 per 100 acres. October 28, 1765, Hasenclever bought

ninety-eight acres and also some other lands of Lord Stirling.* The extent of the company's estates may be inferred from these scanty notes, and at the same time the date of the London Company's organization may be fixed as in 1764, when Peter Hasenclever, their agent, began the purchase of those forges and tracts of land at Pompton, Ringwood, Long Pond and Charlottenburg, all in Bergen County as then constituted. From some intimations in the letters of Joseph Hoff at the Hibernia Works with Lord Stirling, I infer that the company claimed some right in the mines at Hibernia.

Hasenclever at once began to enlarge the old works and build new ones at each of the places just named. After a time, as already stated, Mr. Faesch became the manager in place of Hasenclever, who probably was not equal to the task on account of ill health. Almost the only knowledge we have of Faesch's stewardship at Ringwood and its dependencies, we derive from his successor, Erskine. It is evident, however, that the London capitalists had grown weary of furnishing capital to carry on works which were unproductive of dividends, and for that reason sent a man in whom they had entire confidence to look after their interests and manage them with plenipotentiary powers. What he thought of Mr. Faesch is intimated in his letters, as already cited, but to his personal friend Ewing, in Scotland, he speaks without reserve, but I think with unnecessary harshness. Mr. Faesch's entire subsequent career refutes the charge, to which there is only one fact that suggests the unpleasant suspicion of having misappropriated his employer's funds. I refer to his purchase of several thousand acres at Mt. Hope, immediately after leaving Ringwood.

I have in my possession the copies of letters of Mr. Robert Erskine, in his own handwriting, to Mr. Walter Ewing and his "very dear cousin Rev. Mr. Fisher." The first is dated March 17, 1773, and the second March 18th, and both written at New York. The first letter contains some items of interest concerning the extent of the London Company's business and Mr. Erskine's opinion as to its management previous to his taking charge. He speaks of its being "two whole years and upwards since I saw them"—certain relatives in Scotland. The date of this and the following letter so early in 1773—March 17—and the particular knowledge shown of the company's business, makes it evident that he must have reached Ringwood at least as early as the previous year, 1772, if not in 1771. Mr. Erskine continues, "but let me apologize for my

* East Jersey Records Liber B 3, pp. 66—73, 78, 84, 118, 234.

partial silence and leave it to those concerned to find an excuse for their total. The concerns of the company for whom I am engaged are very great, the amount of their inventories at New Year in iron, goods, cattle and moveables alone was upwards of £30,000 currency; the annual circulation of cash and supplies is between £20,000 and £30,000. Before I came here this property was in the hands of a set of rascals, as I can now fully prove; the company suffered impositions from all quarters, many of which I have put a stop to, but not all. I have rid me of the greatest part of those who deserved no confidence, have discovered my predecessor in the management to have been guilty of a most infamous breach of trust, confirmed under his own hand, and which makes it necessary to commence a suit in Chancery against him. The bringing things to the length I have done has required all my address. The affairs of my employers still require the whole of my attention. I am convinced the works may be carried on to profit were all those concerned honest. I have eight clerks, about as many overseers, foremen, founders, colliers, wood cutters, carters and laborers to the amount of five or six hundred. The care of this centers in me, besides cash accounts of £1,000 or £1,500 per month rendered monthly, to bring such an undertaking into a proper train of going on, is certainly not a small task. This is my apology."

The second letter, to his "Rev'd and very dear cousin," presents the writer in another phase and a better one, and at the same time furnishes a view of the condition of society among the mountains as related to church privileges. "I heard of the loss of my Dear Cousin Mrs. Fisher (by Mr. Pajan's son, who arrived here last summer), with no small concern. The God whom you serve has no doubt supported you and will carry you through this valley of tears with joy, but oh, my dear cousin, I beg an interest in your prayers. You will see by my letter of apology to Mr. Ewing for writing so seldom, how I am involved in the cares of this world. Were it not for a wicked heart, however, the business I am engaged in ought rather to lead me to God than make me forget him, as I have seen much of his Providence since I came here. There is no place of worship near where I live. Some German clergymen come only about five or six times a year. I have of late, however, procured supplies from the Presbytery here, and have agreed for supplies once in two months, which they have promised to appoint. This expense I defray, and if the farmers and neighbours join in subscription we may have a clergyman once a month or oftener."

How extended the trust of Mr. Erskine was, may be inferred further

from the fact that he applied to the general Congress after the war began, and also to Gen. Washington, to have his men exempt from military duty except in special exigencies. He had a company of his own men organized, equipped and drilled, and ready on very short notice to march. Erskine himself was for a time the Captain of the company. He was in the American service as Geographer or Topographer, and there are some maps still in existence of his drafting. The papers in the possession of the Historical Society show that he was a very ingenious draftsman and mathematician.

The difficulties of his position and also the manner of his meeting them are set forth in his letters to his London employers during the years 1774, '5 and '6. They also present the state of affairs and of public sentiment at that time as seen by a very intelligent witness. Thus in June, 1774, he says: "I have no doubt that a total suspension of commerce to and from Great Britain will certainly take place. Such I know are the sentiments of those who even wished a chastisement to Boston. If in want of friends here, it will be difficult even with microscopic search to find them. Gracious God avert the consequences." June 17 he writes: "The Virginians, who are the soul of America, take the lead. We have not yet heard from the southward, but from what has appeared hitherto, the whole colonies seem to look on that of New England as a common cause." In August he writes: "The southern colonies as they are more warmly situated, so they seem more warmly to oppose the present measure; the Carolinians exceed those of Virginia, if possible, but over the whole continent there is a feeling and sensibility for the mother country. They have not yet forgot their friends, their relations and their benefactors. These will powerfully plead in the breasts of the Congress, and I hope in a great degree counterbalance that warmth which injuries, real or imaginary, naturally create. What is concluded on then may be the dictates of necessity and not of resentment, and therefore I think a non-exportation plan will be a dernier resort and not entered into at present."

In October 1774 he writes, that "the Oliverian spirit in New England is effectually roused and diffuses over the whole continent, which, though it is now pent up within bounds, a few drops of blood let run would make it break out in torrents which 40,000 men could not stem, much less the handfull Gen. Gage has, whose situation is far from agreeable. The masons and carpenters who began to build barracks have left off work. Tradesmen of the same kind have been engaged here—New York—but on second thoughts have refused to go. Were

he to come to extremities he no doubt might sacrifice thousands, but in the end would be cut off. I don't see, therefore, how he can procure comfortable winter quarters without either abandoning the place or, like Hutchinson's addresses, publicly recant. The rulers at home have gone too far. The Boston Port bill would have been very difficult of digestion, but not allowing Charters the due course of justice, and the Canada bills, are emetics which cannot possibly be swallowed and must be thrown up again to the bedaubing of the administration, who seem to have utterly forgot that they had the same spirit to contend with as at home, without the same advantages of turning it into a different channel by bribery and corruption. I have never disguised my thoughts to you on any subject since I came to this country. You will therefore excuse my freedom on political concerns."

The rhetoric of the last letter was more forcible than elegant, but the writer is evidently in earnest in his attempt to arrest the unwise measures of the home Government. In October 1775 he thus writes: "The communication with my native country may soon be cut off. The prospect is very gloomy and awful. God in his providence seems to have determined the fate of the British Empire, which is likely to be rent in pieces. I do not believe, however, that there is a man of sense on this continent who desires such a disjunction provided they are not drove to it by absolute necessity, but if forcible measures are persisted in the dire event must take place, which may God in his mercy yet prevent." In the same month he writes again: "The situation of this country and my own makes me truly anxious. * * * * I shall add that the generality of people at home are totally wrong in their ideas of this country and its inhabitants, who being now in arms must by next spring be looked upon as equal to the same number of regular troops, not only to do them justice, but that their opponents may have proper ideas of the business they go upon if the enterprise of subduing them be persisted in, which, however, I hope in God will not be the case. Perhaps the petition of Congress may afford a proper opening for a negotiation. Should that be rejected as the last, then God have mercy on us all. All hope of reconciliation will be cut off. That sword which has hitherto been drawn with reluctance will then be whet with rage, madness and despair, and the ports thrown open to all nations for assistance and trade, which it is impossible for the British Navy totally to prevent. Gracious Heaven prevent things from being brought to this pass, or that a total separation should take place between friends so dear!" In the same letter Mr. Erskine speaks of "the general orders of Congress

for all the colonists to be arrayed from 16 to 50 years of age," and of some inconveniences he is suffering at the Works by "several stout fellows going off and enlisting." "It will be moved at the Congress to-night for the inhabitants of this place to provide for the safety of their wives, children and valuable effects. God knows, therefore, how long the communication with England may remain open and when you will have an opportunity to hear in a regular way again."

May 3, 1775, from New York, Mr. Erskine writes: "The people, as I have said before in private letters, are sincerely in earnest everywhere. I have even been applied to for gunpowder by the principal people of the County of Bergen in the Jerseys, in which your Iron Works are situated, where they, who till now hardly thought anything of the matter, are forming into regular disciplined bodies as fast as possible, which is the only business attended to at present anywhere. Gen. Gage is shut up upon salt provisions in Boston, from whence it is allowed he could not stir ten miles had he 10,000 men; for 20,000 men who now beyond doubt can fight, are entrenched without the town, and 30,000 more were sent home again as superfluous at present. But I leave particulars to the newspapers, and am sorry the times have furnished a subject so foreign to my former correspondence. The present subject I have adopted from the general voice which held it necessary that all who corresponded with England should be explicit in declaring the situation of this country, which is beyond dispute indissolubly united against the British Ministry and their acts, to which the Americans will never subscribe but in characters of blood; nor since blood has been shed do I believe a hearty reconciliation can again take place unless *blood* seals the contract." A week afterward he writes: "Nothing now is attended to but arms and discipline. Even the Quakers of Philadelphia have taken arms, and two companies of that persuasion were formed last week. * * * The seaport towns may be beaten down if the ministry think proper, but no force they can send will be able to penetrate ten miles inland. 'Tis perfectly astonishing they have carried things so far. The fishery bill, the allegations of cowardice, &c., have exasperated the whole continent to the last degree." Again of the 10th of June, he writes: "I beg leave to give you my sentiments respecting an accommodation, which there is not the least prospect of being effected by force of arms, soon if at all, for the universal diligence in learning and application given to military affairs must soon convert the people of this continent into regular troops. * * * They have their eyes about them and are determined to be free or die. There is no doubt, how-

ever, that a hearty reconciliation would immediately take place were they put on the same footing as in '63 and the right of taxation given up, for independency is not their aim. Such a wish was never expressed or hinted at either in the last or present Congress."

In a letter May 23, 1775, he exclaims: "My heart bleeds for my native country." In August he writes, that "had the ministry designed to render the opposition to their measures as effectual as possible, they could not have hit upon a better method than the steps they have pursued." "Sept. 5. The people are in general longing for intelligence from England, but however ardent and sincere their desires are for a happy and amicable reconciliation, they are in general prepared and preparing for the worst." Dec. 5th, he tells his employers that whatever takes place "I shall continue to act for your interests and the preservation of your property as well as I can." Dec. 6th, he is in great trouble about protested bills in consequence of the troubles of the country, and then he exclaims: "Oh! my country! to what art thou driving? This gives me piquant distress indeed. How long will madness and infatuation continue? Oh God, justice and judgment are the habitation of thy throne; mercy and truth shall go before thy face. Excuse me, it is neither treason nor rebellion to wish the kings of the earth would imitate the Sovereign of the Universe. Civil war, subjects, and kindred blood shed, and for what? Because the Ministry of Britain have adopted the prejudices and resentments of a Governor and his petty partisans of one of the provinces. Heavens! what a figure the present annals will make in history!"

In a communication dated December 2, 1775, to the "Colonel and other officers of the 1st Battalion of Continental Troops raising in the Jerseys," Mr. Erskine gives a copy of his own commission, which deserves to be reported in full. "In Provincial Congress, Trenton, New Jersey, 17 August, 1775. This Congress being informed by John Fell, Esq., one of the Deputies for the County of Bergen, that Robert Erskine Esq., hath at his own expense provided arms and accoutred an independent company of Foot Militia in said County, do highly approve of his zeal in the same, and do order that he be commissioned as Captain of said company. A true copy from the Minutes. Wm. Paterson, Sec'y."

This commission Erskine copies in order to have the officers of the battalion rectify the irregular proceedings of one Yelas Meade, who was enlisting his men contrary to the exemption of Congress; such enlistments seriously interfering with the business at the Works. He says his

company "consists of forgemen, carpenters, blacksmiths and other hands, whose attendance is daily required. I dare say, however, that there is not a man belonging to it but would willingly lend his aid in a case of extremity when every consideration must give way to the salvation of the country." He further says, "I have been at a very great expense in arms, uniform and discipline, and he closes his letter "with the sincerest wishes of success to the friends of the British Constitution and the Liberties of America."

On the 10th of February, 1776, he wrote to his London employers, among other things, that "brave Gen. Montgomery has fallen before Quebec, and makes the third hero who has expired before its walls. We have some extracts from the English papers to the 17th of November; it makes me happy to see their complexion a little more favorable to a reconciliation. But shilly-shally undetermined procrastination and insidious maneuvers will not do. This country is too much on their guard, too well prepared and too much exasperated to attend to anything but plain English. It is the height of folly to hope to disjoin them. Unless the Ministry treat with the Congress they need not attempt treating at all, for were any colony base enough to break the Union, could they dare do it? No. Open on all sides, their being attacked on their skirts and sea-coasts by their European enemies is an happy alternative to that of being destroyed from all quarters; besides it is not in human nature to deliberate in the alternative, after engagements so short, in a quarrel that has gone so far, a fact so obvious that I hope all scrupulous punctilios will be got over and a cessation of arms and a repeal of the obnoxious acts take place, and then I trust Great Britain will regain the confidence and esteem of this country, provided she shows a hearty and speedy disposition to do them justice." Under the same date he encloses his "cash account for January," and adds, "this—the profitable running of the Works—with a speedy settlement of the present disputes, would give me the highest satisfaction, but speedy the settlement must be if it all. A continuance of hostilities and another campaign and the burning a few more defenceless towns and such acts of wanton mischief, will most undoubtedly make the breach irreparable."

These quotations present the Ringwood manager in a light that reflects credit on him as one who clearly read the signs of the times and interpreted those signs honestly to his British employers. It is very evident that, he desired the Revolution to be arrested by the honest retraction of their odious measures by the British ministry, and the

faithful cession to the American colonies of the rights which they justly claimed. Were there no other sources of information than these letters, it would be evident that their writer was a warm advocate of the Americans in their dispute with the mother country, but taken with other proofs, they present Robert Erskine in a noble attitude in the struggle which he predicted in such strong language, together with its issue.

He died at Ringwood, and his grave occupies a retired spot about a quarter of a mile from the ruins of the old Ringwood Furnace, near the road leading from Ringwood to West Milford. There are only two graves at this place, these laying side by side, the one that of Robert Erskine and the other that of his former clerk, Robert Monteath. Mr. Erskine's monument is of gray marble, is supported in a recumbent position by a brick wall about one foot high, and bears the following inscription :

"In memory of
ROBERT ERSKINE, F. R. S.
Geographer and Surveyor General
To the Army of
The United States ;
Son of the Rev. RALPH ERSKINE,
Late Minister at Dunfermline
In Scotland.
Born
September 7th, 1735.
Died
October 2d, 1780,
Aged 45 years
And 25 days."

I am tempted here to copy an autograph letter from Margaret Erskine, "the loving and affectionate mother" of Robert, which shows the canny Scotch woman not *too* prudent about "the Lotry tickets, their being a few that gets anything that way," and yet who says "I will be glad to hear if you get anything that way, and what you payd for your ticket." It is evident from the letter that he had sought a Professorship at Glasgow.

"Dear Robie, I received your's this day I wrot to you this day eight days with a shipmasters receipt for a box to you with some linnings which youl have got by this time. I shall be very glad that I am in a mistake about your being oblided to be present as a candelat for y^r vacancy at Glesgow it was the openean of your Brother and many

others that you should be present but if it is needless it may be they may cause you yet for to be sure the professerss is not pleased with that Buchanan but it is like as y^e D of Argyl is hear he will oblige them to take him fit or unfit if it serves his turn I think you have got a sufficient swack of his Gress as I hope you will expect no favours from him it would be a great mercy if you could think of doing something hear for I am afraid you will get some offers to go to Jeameky Gebrealter or some of the colonys abroad which would be very desagerable to me. You may be sure I would be very glad to see you hear for I almost desper of ever seeing you and if you go farther abroad it will certainly be the case I hope you will take care not to medle with Lotrytickets their being few gets anything that way Garvok give out 100 pounds ster for tickets and they came out all blanks. I will be glad to hear if you get anything that way and what you payed for your ticket. I hope it will be as you say that the people you stay with are religeuss sober folk but I thought it best to let you see my Brothers letter that you might be on your gaird—I hope the Lord himself will keep his hand about you and keep you out of evel company for to be sure their are many tentations in and about London and allmost in every place I am Dear Robie your loving and affectnat

Dunferm (date torn off).

Mother MARGARET ERSINE."

As already said, it was in 1772 that Mr. Faesch was superceded in the management of the London Company's Works by Mr. Erskine. Previous to 1770, Col. Jacob Ford, Jr., of Morristown—his widow was Washington's hostess during his second winter in Morristown—is said to have purchased some 2,000 acres of the land which afterward constituted a considerable part of the large tract bought by Mr. Faesch. Col. Ford built a forge some three miles north of the Mount Hope mansion, then known as Burnt Meadow, but subsequently Denmark. He there built a house and lived a year or two. Col. Ford was at Denmark as early as 1768, because that year he is mentioned in the Rockaway Trustee book as occupying "Pue No. 5" in the first meeting house. For some reason he was dissatisfied with Denmark as a residence, and in 1770 built the stone mansion at Mount Hope. This is still standing, and I may add that I saw a pane of glass in one of its windows on which was the diamond-cut autograph of Samuel Ogden, of Boonton, with a date which I have forgotten. This relic was lost on repairs being made on the house.

In 1772 Mr. Faesch removed to Mt. Hope,* and the late Col. Joseph

* I have not seen the deed for lands purchased from Col. Jacob Ford, Jr., but the fact is known that he bought the Mount Hope house and a large tract of

Jackson, of Rockaway, says that Faesch built the Mount Hope Furnace in that year, and gradually enlarged his purchases until he was said to own ten thousand acres, the most of which was wood land. He became the lessee of the Hibernia Works at some time during the war and cast a large amount of shot and shell for the Government. Gen. Washington and staff once visited him at Mount Hope, and he was regarded as a thoroughly loyal man, entering into the war with great zeal. It is said that he was successful in his business as an iron master until, at the close of the war, foreign importations broke him down. After the war he removed to Morristown and purchased the old magazine which stood on the southeast corner of the Square. This he converted into a dwelling and occupied it until his wife died, Feb. 25, 1788. After this he removed to Old Boonton, and died of dropsy May 26, 1799, at that place, aged 70 years. He was buried at Morristown. Mr. Faesch was said to be skeptical in his religious opinions, but one of the promptest supporters of the Rockaway church, giving as a reason for the apparent inconsistency, that "religion was a very good thing to keep the lower classes in proper subordination!" His autograph may be seen on several subscription papers of the parish, and the flourish at the end was in form like a pipe. He married Miss Elizabeth Brinkerhoff, of Parsippany, and left two sons and two daughters. The sons, John Jacob and Richard, never married, and died whilst yet young men. One of the daughters died about 1848. She was not married. The other married a Mr. Wm. H. Robinson and had two daughters, one of whom married Robert I. Girard, of New York, and died about 1848 or '9, leaving children, and the other was living in California in 1851. Mr. Faesch himself married for his second wife a widow Lawrence, whose maiden name was Leonard, her mother being a Kearney.* There were no children by this marriage.

In his day John Jacob Faesch was one of the great men of Morris County, regarded as its greatest iron-master, one of its richest men and

land with it that year. Sept. 12, 1772, he bought of William Burnet and John Johnson for £1,246 7s. 6d. Proclamation, a tract of land in Pequannock, measuring 6,200 acres, out of which certain tracts are reserved. May 8, 1772, he bought of "Abraham Ogden a tract in Mendham Township known and called Jackson's Mine, containing ten acres for £10." He also bought, Nov. 6, 1772, another tract in same township of four 42-100 acres for £33 18s. 6d. And Feb. 1st, 1773, he bought of Jacob Ford, Jr—"both of Pequannack Township"—a small tract of land "at a place known as Mount Hope," for £5. East Jersey Records, Liber G, 3 pp. 96, 237, 9, and 290.

* Whitehead's Amboy, p. 92:

one of its most loyal citizens. The robbers Moody and Claudius Smith several times attempted to rob his house, but provided with arms by the Government and surrounded with his own men, he was not a very pleasant object of attack by the bandits.

As mention has been made of Col. Jacob Ford, Jr., as one of the early settlers of the upper part of Morris County, I may add that he was the son of Col. Jacob Ford, Sen., and that after his sale of Mount Hope to Mr. Faesch, he returned to Morristown. He held a commission in the American army, built a powder mill at Morristown, and saw some service, but shortly after Washington led his army into winter quarters, early in January, 1777, Col. Ford died of pneumonia, Jan. 11, aged thirty-nine. Eight days afterward—Jan. 19—his father, Col. Jacob Ford, Sen., died of fever, aged seventy-three years.* By order of Gen. Washington, the son was honored with a military funeral. His descendants are among the most honored citizens of the County.

Not far from Mount Hope is Hibernia, at the head of the "Horse Pound" Valley, and situated between two steep mountains about four miles north of Rockaway. At one time no little interest was connected with this place and some men who figured there. The land was taken up and the works built earlier than either at Denmark or Mount Hope. I am not able to give the precise date, only it was prior to October 28, 1765.†

It will be noticed that in 1765 John Johnson had iron works at "Horse Pound," as *Beach Glen* was then called, from the fact that near the upper end of the valley the Indians, and perhaps early settlers, had

* Morristown Bill of Mortality, 29.

† At this time Samuel Ford and his wife Grace—daughter of Abraham Kitchel—for the sum of £265 13s 4d, sold to James Anderson, of Newtown, Sussex County, "one equal and undivided third part of all and every of the Respective five following lots of land hereinafter mentioned, and scituate in the Township of Pequanaek, in the County of Morris aforesaid, about one mile and a half above John Johnson's Iron Works, &c." Lots number one, two, three and four contain ten acres each, strict measure, and number five ten acres and thirty-four hundredths. This land is described as part of a "lott of land returned to Col. Jacob Ford, and recorded at Perth Amboy in Book S, 4 p. 350." The same conveyance of Ford to Anderson speaks of "outhouses, buildings, barns, Furnaces, &c., mines and minerals, &c.," as included in the deed. The deed is acknowledged "before me, Joseph Tuttle, Esq., one of the Judges of His Majesty's inferior Court of Common Pleas, held at Morristown, July 9, 1766." On the same day, Oct. 23, 1765, Samuel Ford and his wife Grace, sold to Benjamin Cooper, of Newtown, Sussex County, for the same sum, "one equal and undivided third part of all and every" of the same "five lotts of land" as described in the conveyance to Anderson—*East Jersey Records Liber D. 3 pp 42-6.*

log enclosure made, in which to catch the horses that had been running wild over the mountains during the summer. The names of Lord Stirling, Benjamin Cooper and Samuel Ford, are connected with the original building and ownership of the Hibernia Works. The history of Lord Stirling is fully set forth in a volume published under the auspices of the Historical Society.

Benjamin Cooper was the son of Judge Daniel Cooper, and in 1768 I find that "Benjamin Cooper & Co." held "pew No. 6" in the old Rockaway meeting house. Lord Stirling was the "Company." It is said that Ford and Lord Stirling built Hibernia Works. The former became a notorious character, and as a part of his villainous career was run at Hibernia, it will be interesting to record a few things concerning him.

Mr. Whitehead, in his paper on "The Robbery of the Treasury in 1768," describes Ford as "an artful rogue, an Englishman by birth but married and having relations in New Jersey."* In this he is mistaken. In the census of New Jersey, taken in 1771-2, † is the following item: "Widow Elizabeth Lindsley, mother of Col. Jacob Ford, was born in the city of Axford, in Old England, came to Philadelphia when there was but one house in it, and into this Province—New Jersey—when she was but one and a half years old. Deceased April 21st, 1772, aged 91 years and one month." Samuel Ford was the grandson of this estimable lady. ‡ He was regarded as a very ingenious man, and from Benjamin Cooper's confession, and Ford's rejoinder, I infer that the business of counterfeiting was agitated before the latter sold out his Hibernia interests to Anderson and Cooper, in 1765. Mr. Whitehead intimates that Ford went to Ireland in 1769, "for improvement in the profession," § but Rivingston's New York Gazette of July 22d, 1773, says that "Ford went to Ireland *six years ago*, and to England eighteen months ago." He made two trips across the ocean in the prosecution of his business. The date of the Hibernia Works I suppose was to

* Proceedings N. J. Historical Society, V, p. 53.

† Historical Society Library.

‡ His father's name was Samuel. He married Grace, the daughter of Abraham Kitchel, of Hanover, and sister of Aaron the Congressman. Her great-grandfather was the Rev. Abraham Pierson, sen., of Newark. Her niece Mrs. Eunice Pierson, of Rockaway, who lived to the extraordinary age of ninety-three years, once told me that, Samuel Ford was a handsome man but "he was a great grief to his friends."

§ Proceedings N. J. Historical Society, V, 53.

raise the means to make the voyage in 1765. He was back in 1766 and we find under date of June 28, 1766, in the minutes of Privy Council of New Jersey, that the Governor signed a warrant on the Treasury "to the Hon. John Stevens, Esq., for sending an express into this Colony to inform the inhabitants of a large sum of Jersey bills of credit being arrived in a vessel from England." There can be little doubt that this was the fruit of Ford's professional visit to Ireland, then reputed to furnish the most skillful counterfeiters in the world. "Whilst in Ireland he married an interesting young Irish girl, with whom he is said to have received some money. On reaching this country she was well-nigh crazed on finding that Ford had a wife and children. This was one of the worst acts of his wicked life." *

In the letter which Ford wrote to Cooper, after his own escape from the Morris Jail, he berates Cooper for his "atrocious falsehood" in charging on him the robbery of the Treasury at Perth Amboy, and then speaks in terms of virtuous indignation because in the confession "You describe me as being the chiefest promoter and first introducer of the money-making affair," as he pleasantly denominates counterfeiting. He then adds this sentence, "Did you not in the *time of our distressed circumstances at the furnace* [Hibernia] first move such a scheme to me?" From the deed of two-thirds of the Hibernia property in 1765, it is fair to infer that he then sold out all his interest there, and in connection with his own letter, just quoted, it seems to me clear that "the money-making affair" was in progress as early as that time. Further it seems probable that he sold his property in order to go to Ireland that very fall or the next spring, and that his return was made known by the arrival in June, 1766, of a ship with "a large sum of counterfeit Jersey bills of credit." With this harmonises the fact, that in 1767 he was residing in New York, where he was arrested "on a charge of uttering false New Jersey bills of credit." †

It is evident that after his return from Ireland he sought a more secluded place for his business, and found it in a swamp-island on the Hammock, midway between Morristown and Hanover. The late Sheriff Robertson, of Morris county, became the owner of the house Ford lived in, on the Hammock, and in repairing it found some of his counterfeiting tools in the walls where they had been secreted by Ford,

* Dr. Timothy Kitchel heard his father say that this young woman was afterward married to an Irishman, and lived at Whippany many years.

† Mr. Whitehead's Paper, Proceedings of N. J. Historical Society, V, 52.

many years before. In July, 1768, the robbery of the Treasury took place, and Ford's letter to Cooper with other testimony leave the strong suspicion that he was the planner and executor of that crime. This is confirmed by the confessions which Cooper, Haynes and Budd made under the gallows, all pointing, as is said, to Ford as the Treasury robber, but there is no direct proof of the charge, and Ford himself denies it.

In the Pennsylvania Gazette, of Sept. 29th, 1773, we find the substance of Cooper's confession. "He confessed himself privy to the robbery of the Treasury at Aniboy, and that he received £300 of the money; that it was concerted by Ford, and perpetrated by him and three soldiers then quartered there; that the plan was first to attempt to carry off the iron chest, and if that failed, next to take the key from Mr. Skinner's bed room, and to kill him or any person who should discover them, and that afterwards if any of them should be suspected or convicted, they were to turn King's evidence and accuse Mr. Skinner as being an accomplice with them. When some of them were shocked at this proposal, as thereby an innocent person might lose his life, Ford replied, "*No, d— him, he will only be condemned, he has friends enough to save him from the gallows.*" That after breaking into the Treasurer's office, adjoining his bed-room, they attempted to carry off the chest, but finding it difficult set it down again, and breaking open a desk in the room in hopes of finding money, they there found an old key to the money chest, which was rusty and thought unfit for use (the key then in use being in Mr. Skinner's bed-room); with this old key they opened the iron chest, and thereby the lives that would have been exposed were probably preserved." I copy this not to vouch for its truth but as supplying a needed document in this singular history.*

The emission of counterfeit money had grown into an alarming evil, and it was generally believed that Samuel Ford was the leader of the gang. Accordingly, on the 16th of July, 1773, he was arrested and imprisoned at Morristown. During the night, or the next day after his arrest, he escaped, "being aided," as Mr. Whitehead says, "by his confederate, King—a rival veteran in villany." This John King was probably "John King, late under-Sheriff of Morris county," and thus was able to aid in his jail-breaking. Moreover, deputy-Sheriff King was before the Privy Council in February, 1744. The Sheriff, Kinney, was

* Mr. Whitehead's paper, already referred to, gives a succinct narrative of the principal circumstances, and their bearing upon subsequent events.

himself indicted for allowing the escape of so dangerous a prisoner. Indeed some pretended to believe that Kinney, and others higher in society, were implicated in the crime. * Certain it is that very little care was taken to hold the rogue, and the pursuit of him was not very vigorous. He first fled to a lonely spot on the mountain, between Mount Hope and Hibernia, and staid in "Smultz' Cabin," a deserted cabin in an old colliery. † The late James Kitchel, of Rockaway, ‡ when fourteen years old, was one Sunday at the Rockaway meeting house, and saw Sheriff Kinney arrest Abraham Kitchel as a guide, for his posse, to Ford's hiding place. Greatly excited, the boy ran home, but on the way stopped to tell one John Herriman the occurrence. He says that this man stripped off his coat and ran straight over the meadows for Hibernia, for "Smultz' Cabin." The Sheriff took the matter leisurely, although Mr. Kitchel, his guide, said to him publicly, "I know where Ford is and will take you to the spot, but you know you dare not, for your own sake, arrest him!" At last, at a leisurely pace, they reached the cabin, and sure enough Ford was gone. "There, Sheriff," said Kitchel, as they entered the cabin, "is where Sam Ford has been secreted, and you would rather give your horse, saddle and bridle than to find him here *now*!" The Privy Council regarded Kinney as "blameable for negligence in his office, respecting the escape of Ford." He was indicted for it, and the Council advised the Governor "to prosecute the said indictment at the next court." §

It was a widely prevalent opinion in Morris County, as has been stated, that some men in high positions were interested in Ford's "money-making business," which he pleasantly calls "a piece of engenuity." Four men were convicted in Morris County and one in Sussex County, and all sentenced to be hung: Benjamin Cooper, of Hibernia, Dr. Bern Budd, Samuel Haynes, David Reynolds and one Ayers. Reynolds was a common man, with no strong social connections, but Cooper, Haynes and Ayers were Justices of the Peace. Cooper's own father, Daniel Cooper, was one of the Judges of the Court that tried him. Dr. Budd was a physician greatly esteemed in the County for his social position, and also for his reputed skill in his profession. Indeed, so great was the

* When the Sheriff sold out what little property Ford had left, even to a tin cup filled with milk for the babe, his son said to him "I have seen you in my father's shop."

† Statement of his niece, Mrs. Eunice Pierson.

‡ Mrs. Pierson's brother.

§ MS minutes of Privy Council.

latter, that this bad business and his having been sentenced to death in consequence of it, did not prevent his retaining his practice. One of his patients, a very inquisitive woman, the first time she had occasion for his services, asked him very naively "how he kind of felt when he came so near being hanged?" Dr. Budd died of putrid fever Dec. 14, 1777, aged thirty-nine years.* Of the four Morris County convicts, Cooper, Haynes and Budd were reprieved the morning of the day appointed for their execution.† The substance of Cooper's confession has already been given, and the minutes of Privy Council show that in a trial instituted by Lord Stirling against Col. Samuel Ogden and Samuel Tuthill, Esqs., for unfair dealing in the taking of affidavits and confessions "in the County of Morris, in or about the months of August, September and October last—1773—relative to the counterfeiting of the paper bills of credit of this province and the Robbery of the Treasury of this Province," Budd and Haynes had both made confessions, for the minutes direct that "Wm. DeHart, Esq., bring with him the affidavits of Budd and Haynes, taken after they were released from Goal, and the original paper which he—DeHart—received from Haynes' wife." These affidavits I have not seen, nor the substance of them, but the whole series of incidents, taken together, looks as if they also told the same story as Cooper did, charging on Ford the Amboy robbery. And I cannot refrain from expressing the feeling which an examination of all the accessible records as well as traditions leave on my mind, that whilst Samuel Ford was a very great villain, he was acting his villainy in very respectable company, a part of which did not get to court and the scaffold as some others did. Reynolds, the least guilty of the whole, was hung, having been arrested on the testimony of a brother Irishman, who after the execution manifested the most lively grief.

How long Ford was concealed in the vicinity of Hibernia is not known, but his letter to Cooper was proved by Joseph Morris, his brother-in-law, and Jonathan Ford, his brother, September 8, 1773. I have carefully examined the files of the Pennsylvania Gazette for 1773, and also Rivington's New York Gazette, and am surprised to find how dilatory the Sheriff and Governor were in their efforts to arrest Ford. He broke jail on the 18th of July, and was known to be in concealment not far away during the entire month of August, and perhaps longer, yet Sheriff Kinney does not get his offer of reward published until

* Morristown Bill of Mortality, 41.

† Minutes Privy Council MS. Proceedings N. J. Hist. Soc. V, p. 51.

August 5th in the Rivington; and the Pennsylvania Gazette does not get the Governor's proclamation until December 1st. It is not until September of the same year that the last named paper begins to publish items concerning the *pursuit* of Ford, and then we have items in the issues of September 22d, 29th, October 20th, December 1st and 9th, 1773, and January 26, 1774.

From the best authority, I learn that Ford made his way to what was called the Green Briar Country, among the mountains of Virginia, where he assumed the name of his mother's family, Baldwin. He there was a silversmith, and formed a partnership with another man. During a severe illness he disclosed his real history to his partner's wife, who so sympathized with him that after his recovery and the death of her own husband she married him, so that he had his third living wife. His oldest son, William Ford, and Stephen Halsey (son of Ananias), visited him in Virginia, where they found him with "a great property," a new wife, and some promising young Baldwins. It is possible that this distinguished Jerseyman, "who left his country for his country's good," may be the ancestor of some of the Virginia Baldwins who have figured in public life. The Jersey visitors asked the new wife if he had not deceived her, but she said she knew all his past history, and she had no fear of his returning to New Jersey. They described Ford as a "most melancholy man." He professed to his son and Mr. Halsey his penitence, a grace that led to a religious life, which must have been somewhat weak in its nature, as it did not lead him to abandon his adulterous relations and do justice to the excellent woman in New Jersey, whom he left to sustain her family without a farthing's aid from him.

Probably about the time of Cooper's arrest, or previous to it, he sold his interest at Hibernia to Lord Stirling, who was already a joint owner, and his arrest was at Hibernia in 1773. I have seen no deed of sale by either Cooper or Anderson, but can only say that Lord Stirling was reported to be the sole owner of the works when he rented them to Mr. Faesch. This must have been subsequent to July 10, 1778, at which date I find a letter to Lord Stirling, from Charles Hoff, his manager at Hibernia, reporting to him what he was doing. Joseph Hoff, the son of Charles Hoff, Sen., of Hunterdon County, was for some time the manager of the Hibernia Works.* The letters of which I have copies

*I have copies of several letters from him to Robert Erskine, Lord Stirling, "Messrs. Robt. and Jno. Murray," Col. Moylan, Murray, Samson & Co., and "Col. Knox, at Fort Washington, in the State of New York;" also some from his younger brother, Charles Hoff, who at his death succeeded him in the man-

from the brothers Joseph and Charles Hoff, reach from May 17, 1775, to July 10, 1778. From these we learn that powder was scarce, that "the weather is so very warm (August 25, 1775) that if I do not have rum for the people I fear they will be more sickly;" that, June 30, 1775, "in conversation with Lord Stirling, this week at this place, he told me it was his candid opinion that every kind of intercourse between New York and Jersey would be immediately cut off by the port of the former being shut;" that in the spring and summer of 1776 attempts were made to cast cannon at Hibernia, with no great success, although "last night we made a tryal at casting one of the guns, but, unfortunately for us, we brought the furnace too low and it missed in the Breech, all the rest was sound and good;" that, Sept. 2, 1776, "I lament much Lord Stirling's situation at present;* hope, however, he may be exchanged for some persons of equal rank in our custody; the dangerous situation of property of all kinds gives me sensible concern, for you in particular and the province in general; I hope, however, to hear more favorable accounts soon, tho' indeed the crisis seems to be arrived, which must decide the fate of New York one way or the other; happy for us that we have so secure an asylum from danger." He then tells his correspondent "we have made two small cannon," which he asks to have tried. He writes to Col. Knox for help "to support the business and complete the job." July 27, 1777, Charles Hoff, who succeeded Joseph, writes to Governor Livingston that "we are now boring and preparing for trial four or five cannon of three pounders, and are of opinion that they will prove good, which would be of great use in the artillery. We made last year, for the publick service, upwards of one hundred and twenty tons of shot of different kinds, many tons of which are here still. I shall even think myself happy and in my duty to my country, to contribute by every means in my power in opposing that tyrannical spirit which is now exhibited in the British nation, and shall be ready to obey any commands from your Excellency for that end." That their capacity for iron making was not large, is evident from the statement of the manager to his New York correspondents, that "we make 15 or 16 tons weekly," which "pig-metal, I have sold some for £12, some for £15, some for £20 and some for £30 per ton." The Hoffs wanted to make cannon, and so write to Col. Knox, saying, "we would willingly engage

agement. The original book is in the possession of Joseph T. Hoff, Esq., of Mount Pleasant—P. O. address, Dover, N. J.

* Then a prisoner with the English. See Collections Hist. Soc., Vol. II, p. 163.

to make a quantity of shot of any kind and try at some cannon—say 6 or 9 pounders—&c. We are persuaded our iron will answer for cannon, as we have proved the first we made to be good.” Charles Hoff, in 1778, says the Government gave exemption to twenty-five men for the Hibernia Works, which caused an abundance of candidates for the places. The same year (July 4, 1778), Mr. Hoff wrote a card on the subject of “a good many deserters, both of the British troops and Hessians, who are come in and sent to Philadelphia.” He seeks to engage some of these for cutting wood, making charcoal, doing work as mechanics, and other employments. His brother, John Hoff, was sent to Philadelphia, with particular instructions as to kind, numbers and pay. He did not succeed in the plan. Mr. Faesch employed several Hessians at Mount Hope, most of whom remained in this country after the war.*

It will be seen that Hibernia and Mount Hope both have claims on our interest, in discussing the early history of Morris County.

Let me before closing this paper gather up a few dates and facts concerning other parts of the county. From a manuscript “history of the Congregational church,” † I learn that “the tract of land now constituting the township of Chester, was surveyed and run into lots in 1713 and 1714, and began soon after to be settled with emigrants from South-hold, L. I., who had been brought up in the Congregational church planted there by their fathers, and were by conviction and profession attached to its doctrines and customs. It was in their hearts to do as their fathers had done, plant a church of the same faith and form of government as that in which they had been baptised and to which they owed so much. Having settled from one to three miles apart, in a country to be cleared of heavy timber, with their private buildings to erect, roads, bridges and fences to make, and families to support, it is wonderful that they, as early as 1747, should have been able to erect a commodious house of worship with pews and galleries to seat an

* Among the incidents of the war was the robbery of Charles Hoff’s house and stables, by a gang of fellows from the neighborhood of Ramapo, led, as was said, by the notorious Claudius Smith. They came suddenly into the house in the early evening, compelled the family to get supper for them, stole what jewelry, plate, fine goods and horses they could, and made off for the mountains again with their plunder. In 1790 Capt. Joseph Board, who resided in the vicinity of Ringwood, wrote Mr. Hoff concerning some of the miscreants who came to a bad end. Smith and his party shot down one Lieut. Clark, who had been their pursuer, but the murderers were themselves overtaken in their hiding place and all shot.

† Compiled by Rev. Abner Morse.

audience of 400. This house stood about six rods west of the present meeting house."

The Presbyterian church, at Chester, was organized in 1752, and began its meeting house about 1755.

A manuscript account of "the Evangelical Lutheran church of German Valley, Morris county, New Jersey," has this record: "This part of our county appears to have been settled in part by Protestant Germans, some time about the year 1740. This settlement of Germans, together with others in Hunterdon and Sussex counties, was visited as early as the year 1745, by the Rev. H. M. Muhlenbergh, D.D., so justly distinguished for his learning, piety and patriotism. With his name, and the names of his sons, the early history of these German settlements, as well as the history of the entire American Lutheran church, is richly interwoven. The Lutheran church, of German Valley, was originally incorporated with Lutheran churches in the above named counties, the principal one of which was located at New Germantown, Hunterdon county. The more distinct history of these churches commenced with the year 1767, at which time, through the agency of the Rev. H. Muhlenbergh, those churches obtained a charter of incorporation from George III, King of Great Britain, executed by William Franklin, Esq., Captain-General and Governor of the Colony of New Jersey, "at his office in Burlington." The first church built at German Valley was a log house of very rude construction, which, in 1775, gave place to the Union church owned by the Presbyterians and Lutherans." *

In the north-eastern part of the county settlements were made very early. Dr. Schenck, for several years the pastor of the Reformed church, at Pompton Plains, says that the first settlements in that region were made on the east side of the Pompton river, in what is now Passaic county. "At the opening of the year 1700, it is probable there were but five or six white families in this valley--that is, on the east side--and probably none on the plain, or west side of the river. The first families came from New York, and were, some of them at least, members of the Dutch church, or their fathers were. A few families also settled, in 1700, in the vicinity of the Ponds. The earliest notice we have of preaching, in this region of country, was at the Ponds, in 1710. The first house of worship was built in 1735-6, and dedicated April 7th, 1736. This was also on the east bank of the Pompton river,

* MS sketch of German Valley Lutheran church, by Rev. E. D.

a little below where what was then called the Pompton river empties into the Pequanae, and on lands formerly belonging to the Schuyler family. It was probably taken down in 1770." The first church erection at Pompton Plains was planned in 1769, and finished, so as to be used, in 1771. Its pews were not made until afterwards.* Dr. Schenck says, the first purchase of lands in the Pompton valley, from Indians and proprietors, included the great body of the land in the valley. If some lover of local history would spend a few days among the Ryerson, and other old families, of Pompton, Ringwood, and Bloomingdale, in the examination of deeds, and compare these with the Records at Amboy and Trenton, the date of settlement in that region could probably be settled, since these families are said to have been among the first in that region, and their descendants still live there.

The name of the county and its shiretown has elicited some inquiry. A few paragraphs concerning the genealogy and name of the county, will close this paper. In 1709 the Provincial Legislature passed an act, defining and naming several counties. The county of Burlington, then included all the present counties of Hunterdon, Mercer, Morris, Sussex and Warren. In 1713 the same authority divided Burlington county so as to set off by itself the county of Hunterdon, in honor of Robert Hunter, the Governor of New York and New Jersey. Hunterdon then included the present counties of Hunterdon, Mercer, Morris, Warren and Sussex. On the 15th of March, 1738-9, the Provincial Legislature passed an act which set off from Hunterdon, the territory included in Morris, Sussex and Warren, and named it *Morris*, evidently in honor of its Governor, Lewis Morris, who about a month previous had been appointed the first Governor of New Jersey, as a Province distinct from New York.† For several years, according to Allinson, the most of the citizens of Morris county must have been practically disfranchised, since it appears that until the passage of an act, May 10th, 1768, and confirmed by the King, in Council, December 9th, 1770, they voted in Hunterdon, as formerly; being allowed "from time to time, as occasion shall be, to appear at *Trenton, or elsewhere in said county of Hunterdon*, and there to vote and help to elect and choose Representatives for the said county of Hunterdon, after the same manner as formerly before the making of this act."‡

* Copy of Dr. Schenck's Paper in Minutes of Pompton Plain Church.

† Papers of Governor L. Morris, 29.

‡ Allinson's Laws of New Jersey, 109, 306-7.

As to the early settlement of *Morristown* my information is quite meager, although I have given a great deal of time to the search for it, and must now hand it over to the local historian. A single record at Trenton shows that surveys had been made in Morris township, about the time of the surveys in Mendham, Chester, Randolph and Hanover townships. The first purchase on the west side of Pompton river, according to Dr. Schenck, was made about the year 1700; those in Mendham, Chester, Randolph, in 1713-14; on the 27th of November, 1758, Frederick Miller bought land in Rockaway valley, above Boonton, of "William Allen and Edward Shippen, executor of Humphrey Murray deceased, of Philadelphia," which land belonged to a tract surveyed unto James Bollen, for Legatees of George Hutchinson, deceased, containing 1666 acres.*

As late as 1738 the name of Morristown was West Hanover, as is evident from the record made by the Rev. Gilbert Tennent, of his visit in July, of that year, to "West Hanover." I suppose it must have been a question agitated among the people soon after the county of *Morris* was set off from Hunterdon, whether the county town should not receive the name of the Governor also; but the first official use of it, that I have discovered, is two years after the organization of the county. The following record in the first volume of minutes of the Court of Common Pleas, for Morris county, is an important addition to the history of the county and is given entire.

"MARCH 25th, MDCCXL.

GENERAL SESSIONS OF THE PEACE.

"The Court taking into consideration the necessity of dividing the county of Morris into Proper Townships or Districts, for having proper officers within every such Township or District, and more especially for such officers as are to act in concert with other Townships, we therefore order and Determine that from henceforth a certain Township, bounded on Pissaic river, Poquanock river, to the lower end of the great pond at

* This warrant bears date, March 14th, 1714-15. This tract is said in the deed to be surveyed to the said James Bollen, for the legatees of Hutchinson, dec'd, "for his Lot, of No. 21, within the New Purchase made of the Indians, above the falls of the Delaware river," and it is said to have been "surveyed unto the said James Bollen, in three several pieces, and near a place called Wippanung, in the county of Hunterdon, in the month of May, 1715. (E. Jersey Records Liber F. 3.) On the 1st of June, 1769, "the Right Honorable William, Earle of Stirling, and Lady Sarah, Countess of Stirling," for the sum of £2,902, sell to Col. Staats Long Morris, of New York, 967 37-100 acres in the township and county of Morris, which tract is said in the deed to have been originally surveyed in 1715. (E. Jersey Records, Liber F. 3, p. 28.)

the head thereof, and by Rockaway river and the west branch thereof, to the head thereof, and thence cross to the lower end of said pond, and shall henceforth be called Poquanock Township, District or Precinct.

"And that a certain road from the Bridge, by John Days, up to the Place where the same road passes between Benjamin and Abraham Pierson's, and thence up the same road to the corner of Samuel Ford's fence, thence leaving Samuel Ford to the right hand, thence running up to the road that leads from the Old Iron Works towards Succasunning, and crossing Whippenung Bridge, and from thence to Succasunning, and from thence to the great pond on the head of Musconegung, do part the Township of Hanover from the Township of Morris, which part of the county of Morris, Lying, as aforesaid, to the Southward and Westward of said roads, lines, and places, is ordered by the Court to be and remain a Township, District or Precinct and to be *called and distinguished by the name of Morris Town*.

"The court adjourned till nine o'clock to-morrow evening."*

It seems probable that the court acted thus in view of petitions from the people, but, however that may be, this settles definitely the name of the town and, as I think, disposes of a suggestion of a different origin for the name made by myself on a previous occasion.†

It is worth while here to state that the First Presbyterian church of Morristown, was actually organized the same year with the county of Morris, 1738, although its organization was attempted three years previous, but as is stated, in a deed made by the trustees of that church to the Justices and Freeholders of the county, September 7th, 1771, "on the 8th day of September, A.D. 1756, his late Excellency Jonathan Belcher, Esq., Captain-General, Governor and Commander-in-Chief in, and over, the Province of New Jersey, &c., did make and grant, under the great seal of said Province, unto Benjamin Hathaway, Charles Howell, Henry Primrose, Benjamin Bayles, Thomas Kent, Benjamin Cox and Samuel Roberts (by the name of the Trustees of Presbyterian church of Morristown), a CHARTER, investing them and their successors with full powers to receive, and give grants of lands for the use and benefit of said Presbyterian church, &c." The object of this conditional conveyance, in 1771, was to furnish the Justices and Freeholders of the county with right to "a certain Lot of land, commonly called the

* Minutes of Court of Common Pleas, for Morris county, N. J., Book No. 1, p. 2. In July, of same year John Kinney, was proclaimed Sheriff, and licensed to keep tavern in Hanover.

† Pres. Quar. Rev., vols. VI, 289, April, 1868.

Gully," "containing one acre, strict measure," "for the sole use and purposes of a Court House, Gaol, and other necessary uses, for the Court House, Gaol, &c., as long as the said Court House shall remain on said lot, or the said County applies the same to those purposes only, and no longer." The consideration was "the sum of £5, current money of the Province aforesaid, at eight shillings the ounce, to them in hand paid, &c., and also that said Justices and Freeholders, do constantly and continually keep full and in passable repair, that part of the hereafter mentioned lot of land commonly called the Gully." The names of the church Trustees in Sept., 1771, were Henry Primrose, Benjamin Bayles, Benjamin Cox, Samuel Roberts, Joseph Stiles, Samuel Tuthill, Stephen Conkling. The name of Benjamin Bayles is signed with "his mark."

The Justices and Freeholders, of Morris county, at the same date, were Robert Gould, Lemuel Bowers and Josiah Broadwell, Esquires, Justices; and Freeholders, Matthew Lum, Matthias Burnet, Noah Beach, Jacob Gould, Jacob Ford, jr., Hartzthorne Fitz Randolph, Jacob Drake, Jabesh Bell and John Stark. The subscribing witnesses to the deed were Timothy Mills, jr., and Joseph King, and it was acknowledged before Jacob Ford, sen.* The court house and jail were on the northwest corner of the square. On the 1st of April, 1816, the Trustees of the church, for the sum of sixteen hundred dollars, made over their reserved rights in what is now the public square, to certain gentlemen named, on certain conditions that the ground might be ornamented and improved, but not built on "except for a meeting house, a court house and jail, and a market house:" and if "at any time thereafter the county of Morris should cease to use the land now occupied for the court house and lot, for that purpose, the same should be considered a part of the green or common, subject to the conditions aforesaid."

This paper, already too long, must be concluded. I regret that it cannot be made fuller and more explicit. The older members of the Society, who may have tried their hand at writing local history, will appreciate my difficulties, and the young members will do so as soon as they attempt the same thing for any locality east of the Delaware, or west of the Hudson.

* I regret not to be able to give my authority for these facts. By some mistake, at the time I made the quotations, I neglected to note the reference, but from the fact that these deeds, alluded to, are among notes which were taken when examining the East Jersey Records, at Trenton, I infer that I found these also in Liber F., 3, East Jersey Records, but am not sure. I am too far from Trenton to verify my inference.

Let me then sum up the facts ascertained with more or less certainty.

The earliest purchases of lands in the County of Morris, so far as I can learn, were in Pequannock Township, in the vicinity of Pompton Plains, on the west side of the river from the Proprietors and Indians, as early as "the opening of 1700," when there "were five or six families" on the opposite side of the river. The first settlers were from New York, Long Island, and probably Bergen County, New Jersey, as then constituted.

The church there dates back to 1735 or '6.

The next *probable* date is that at Hanover, near Whippany Presbyterian Church, at the Old Iron Works, and is "about 1710." The earliest *actual* date is the deed to James Bollen, "near a place called Whippenung, in the County of Hunterdon, in the month of May, 1715." The same year we find a tract surveyed in the town and County of *Morris*. In 1718 John Richards, schoolmaster, deeded to his neighbors, for use of a church, school house, training ground, burying yard, &c., the ground now occupied for the cemetery at Whippany. This defines the date of Hanover Church as 1718.

The earliest surveys and purchases at Mendham, Chester, Randolph and Mill Brook (near Dover), were made in 1713. The great Dickerson Mine was purchased in 1716. Iron Works were built at Whippany "about 1710," and a forge near Dover in 1722. This defines the beginning of things at Dover.

About 1725 or '30 settlements began at Rockaway, and forges were built on different streams at Rockaway, Denmark, Middle Forge, Ninkee, Shaungum, Franklin and other places, from the year 1725 to 1770.

Col. Jacob Ford, Jr., built Mount Hope in 1770, and sold to Mr. Faesch in 1772, in which year the furnace was built by the latter.

The "Ringwood Company" organized in 1740, and sold out to the "London Company" in 1764. Hasenclever was the first manager of the London Company, then Faesch, and then Robert Erskine. The lands of this company are said to have been confiscated during the Revolution.

German Valley was settled by Germans about 1740, visited by Dr. Muhlenberg in 1745, and its church actually built in 1747.

The Rockaway Presbyterian Church dates back to 1758, some thirty years after the first settlement.

The *County of Morris* was organized in 1738, and its first Township of Hanover, a region of country of indefinite extent, previous to this date, while it belonged to Hunterdon.

Morristown received its name in 1740, from the Court of Common Pleas, and three townships deferred, viz., Hanover, Morris and Pequannock.

Prompton Plains, indeed, we may say, Pequannock, as a section, was settled by Holland Dutch; Hanover, Morristown and Chatham, by people from Newark, Elizabeth and New England; Mendham and Chester, from Long Island and New England; Randolph and Rockaway, by Holland Dutch and a promiscuous assortment of people from various localities, among them what was then Essex County; and German Valley by Germans. Not a few Quakers from Burlington County were among the pioneers.

It would be pleasant to note some changes in the country since Reading first struck his tripod in Morris County, and the trip hammer at Hanover, Dover and Rockaway first rang its music among the forests, and the last remnants of the Indians vanished from the Rockaway and Musconetcong, but this would transcend my purpose. Let me commend the work of collecting the early history of this beautiful County to our young historians.

PROCEEDINGS
OF THE
New Jersey Historical Society.

SECOND SERIES.

VOL. II.

1870.

No. 2.

NEWARK, May 19th, 1870.

The Society met in their rooms in accordance with the By-Laws,
JOHN RUTHERFURD, Esq., Vice President, presiding.

The minutes of the last meeting were read and approved.

The Corresponding Secretary submitted the correspondence since the January meeting, and laid upon the table communications from Governor Randolph, Messrs. J. O. Flood, J. H. Landell, Fred. Frelinghuysen, Edward Seely, James B. Cutter and John McGregor of Newark; D. M. Skinner, of Belleville; Gen. Wm S. Stryker, of Trenton; Samuel M. Hewlett and R. S. Braine, of Irvington; Benj. A. Vail, of Rahway; Samuel S. Clark and J. Marshall Paul, of Belvidere; Edmund D. Halsey, of Morristown, and Rev. Samuel L. Mershon, of Middlebush, acknowledging their election as Resident Members: from Gen. J. Watts de Peyster, of New York, accepting Honorary Membership, and transmitting a large number of volumes for the Library; from the Genealogical and Biographical Society of New York, announcing its organization and the publication of a quarterly "Record" under its control; from St. John's Lodge, Newark, conveying their thanks for the use of the Society's Room on 22d February; from the New England Historic and Genealogical Society; from the Historical Societies of Maine, Iowa, Wisconsin, Chicago and New York, the Essex Mass. Institute, Smithsonian Institute and New Jersey State Librarian, asking for, or acknowledging the receipt of the Society's publications: from Gen. James Grant Wilson, of New York and Gen. S. D. Oliphant, of Princeton, accepting invitations of the Executive Committee to read papers before the Society at this meeting: from Mr. E. H. Finch, of Red Bank, trans-

mitting an obituary notice of Rev. D. V. McLean, D.D.; from Hon. O. Cleveland, relating to Public Documents for the Society; from Adj. Gen. Stryker, of Trenton, announcing as in the course of preparation, a Roster of the officers and men from New Jersey who served in the War of the Revolution, the War of 1812, and the Mexican War; from Hon. H. Hall, of Vermont, transmitting a volume for the Library; from Hon. L. Q. C. Elmer, of Bridgeton, in relation to the publication of his "Reminiscences of the Bench and Bar of New Jersey," and various others from different gentlemen relating to the business of the Society.

The Librarian presented his report of Donations to the Library, received since the last meeting, which will be found on a subsequent page.

The Treasurer reported available funds in the treasury amounting to \$925 56.

The Committee on Publications reported the issue of another number of the "Proceedings" since the last meeting, (No. 1, 2d Volume, New Series,) and that a second edition of the third volume of the first series was in press in accordance with the directions of the Society. On its publication, the members would be enabled to obtain complete sets of the Proceedings, which the Society for some time, had not been able to furnish. They also reported that the Hon. L. Q. C. Elmer was engaged in preparing for publication, his interesting "Reminiscences of the Bench and Bar of New Jersey," a portion of which was read before the Society at the January meeting, and that it was expected the work would form the next volume of the "Collections."

The Committee on the Library, in their report, referred to their often repeated appeals for an increase of the Library Fund, which they deemed essential to a satisfactory administration of the affairs of the Society in connection with the use of the Library, and closed their report with expressions of regret that by the promotion of their Chairman, the Hon. Joseph P. Bradley, to the Bench of the United States Supreme Court, the Society would probably lose hereafter his active participation in its proceedings.

The Nominating Committee submitted the names of thirty-one gentlemen, whom they recommended for membership, and they were thereupon duly elected, and other nominations were received.

The Special Committee appointed at the last meeting to revise the Constitution and By-Laws, reported sundry amendments which were considered in order and adopted.

MR. W. A. WHITEHEAD nominated as the Committee on Finance—a

new Committee created by the revised By-Laws—the following gentlemen, who were thereupon appointed:

Messrs. John Rutherford, Peter S. Duryce, Joseph N. Tuttle, David A. Hayes and William B. Mott.

MR. HAVEN submitted for the inspection of the members, one of the recently discovered gold pieces, dug up on the banks of Petty Run, near Trenton. More than thirty pieces had been found, worth probably more than three hundred dollars. They were all of Spanish coinage, roughly hammered on the edges, clipped apparently to make them of proper weight, and of dates between 1733 and 1741. Mr. Haven stated his belief that these gold pieces had been deposited where they were found, during the revolution, by the Hessian Col. Rahl, or some of his attendants, to prevent their falling into the hands of the Americans, and gave some of his reasons therefor.

Rev. D. Maclean thought it more probable that the gold had been secreted by some of the residents of Trenton to prevent their falling into the hands of the Hessians.

A paper was then read by General JAMES GRANT WILSON, of New York, on "The Life and Character of Chief Justice Kirkpatrick, of New Jersey."

MR. HAYES offered a resolution that the thanks of the Society be presented to General Wilson for his highly interesting paper, and that he be requested to place a copy of it at the disposal of the Committee on Publications; which was adopted after commendatory remarks by Rev. Dr. Maclean, Messrs. C. C. Haven and Ralph Voorhees.

The Society then took a recess for an hour and partook of a collation spread in the Document Room.

On reassembling at 3:30 P. M., Mr. Swords offered the following resolution:

Resolved, That this Society will hold a meeting in Somerville on the third Thursday of September next, and that the Executive Committee be requested to make necessary preparations therefor.

MR. SWORDS advocated the adoption of the resolution on the ground that by holding the September meetings in various parts of the State, as contemplated in the By-Laws, a wide spread interest in the Society might be aroused, and a large accession of members secured.

MR. DURYCE second the resolution with some pertinent remarks, and it was unanimously adopted.

JUDGE ELMER then interested the Society with some extracts from his proposed work on the Bench and Bar of New Jersey.

A paper was then read by GEN. S. D. OLIPHANT, of Princeton, on "The Services of Pennsylvanians in the battles of New Jersey." On its conclusion the REV. DR. HAMILL offer the following resolution, which was adopted :

Resolved, That the thanks of the Society be presented to Gen. Oliphant, for his interesting and scholar-like paper, so full of Classical and Historical story, and that a copy be requested for the archives of the Society.

On motion of MR. HAYES, it was

Resolved, That the Committee on Publications be authorized and requested to have the Revised Constitution and By-Laws printed for the use of the members.

The Society then adjourned, to meet in Somerville on the third Thursday of September.

Resident Members Elected

MAY 19, 1870.

J. L. Boggs, *Perth Amboy.*

Fred. S. Burnham, *Morristown.*

Amos Clark, Jr., *Elizabeth.*

Rev. Southard Compton, D. D., *Spotswood.*

Henry W. Duryee, *Newark.*

E. P. Emson, *Collier's Mill.*

John T. Foote, *Morristown.*

L. Spencer Goble, *Newark.*

Rev. J. S. B. Hodges, D. D., *Newark.*

Monroe Howell, *Parsippany.*

Benjamin F. Howell, *Morristown.*

George Keene, *Newark.*

Frederick T. Kingman, *Trenton.*

Francis C. Lowthorp, *Trenton.*

Frederick W. Leonard, *Newark.*

George S. Mott, *Flemington.*

Theophilus T. Price, *Tuckerton.*

Howard Potter, *Long Branch.*

John Russell, *Burlington.*

James F. Rusling, *Trenton.*

David S. Smith, M. D., *Irrington.*

John F. Shultz, *Manchester.*

Rutherford Stuyvesant, *Kearny*

George Sykes, *Sykesville.*

Wm. L. Thompson, *Newark.*

Guy La Tourette, *Bergen Point.*

Philetus W. Vail, *Newark.*

Peter A. Voorhees, *Six Mile Run.*

John F. Ward, M. D., *Newark.*

Cephas M. Woodruff, *Newark.*

John C. Woodruff, *Newark.*

Edward S. Wilde, *Newark.*

Donations.

ANNOUNCED MAY 19, 1870.

From the Massachusetts Historical Society—Proceedings of the Massachusetts Historical Society, 1867-'69.

From the Pennsylvania Historical Society—Correspondence between Wm. Penn and James Logan, and others, from the original letters in possession of the Logan Family. With notes by the late Mrs. Deborah Logan, and additional notes by Edward Armstrong, M. A. Vol. I

From the Maryland Historical Society—Peabody Memorial. Address of the President, Col. Brantz Meyer, before the Society, Jan. 6, 1870.

From the Wisconsin Historical Society—Territorial Legislation in Wisconsin. Annual Address before the State Historical Society, Feb. 4, 1870, by Hon. Moses M. Strong.

From the Iowa State Historical Society—The Annals of Iowa. Seventh Biennial Report of the Board of Curators of the Society. Period ending Dec. 1, 1869.

From the Chicago Historical Society—Fifteenth Annual Report of the Board of Education of Chicago. Year ending July 3, 1869.

From the American Philosophical Society—Proceedings of the Society. Vol. XI, 1869. No. 82.

From the American Antiquarian Society—Proceedings of the Annual Meeting at Worcester, Oct. 21, 1869.

From the Essex Institute—Historical Collections of the Institute. Vol. X. Part 1.

Bulletins of the Essex Institute—Vol. I, Nos. 5, 6, 7, 8 and 9, and Vol. II, No. 1 and 2.

From the N. E. Historical and Genealogical Society—Proceedings of the Annual Meeting, Jan. 5, 1870, and Pres. Wilder's Address, with list of Life Members, Constitution and By-Laws, and Register: Vol. XXIV, No. 2.

From the Department of the Interior—Documents of the First and Second Sessions of the 40th Congress. 47 Vols.

From the Treasurer of New Jersey—Nixon's Digest of Laws of N. J. Fourth Edition.

From the Quartermaster-General U. S. A.—The Roll of Honor, Nos. 20, 22 and 24.

From the Boston Public Library—Catalogue of the Prince Library, bequeathed by Rev. Thomas Prince, to the old South Church, now deposited in the Boston Public Library.

From the College of New Jersey—Catalogue of the College.

From the Georgia Historical Society—Tabulated Mortuary Record of the City of Savannah, from Jan. 1, 1854, to Oct. 31, 1868. By W. Duncan, M. D.

From the Authors—The Capture of Ticonderoga, in 1775. A paper before the Vermont Historical Society, at Montpelier, Oct. 19, 1869. By Hiland Hall.

The History of Vermont, from its admission into the Union, in 1791. By Hiland Hall.

Index of titles of Corporations chartered under General and Special Laws, by the Legislature of N. J., between 1693 and 1869 inclusive. By John Hood.

1. The History of the Life of Leonard Torstenston, Senator of Sweden, Count of Ortala, &c.

2. The Dutch at the North Pole, and the Dutch in Maine, and Appendix.

3. The History of Carausius, the Great First Hollandish Admiral, and the First Sailor King of England.

4. Practical Strategy as illustrated by the Life, &c., of the Austrian Field Marshal Traun.

5. The Battle of the Sound, or Baltic; Fought (Oct. 30, O. S.) Nov. 9, N. S. 1658.

6. Secession in Switzerland and in the United States compared.

7. The decisive conflicts of the Late Civil War, Oak Ridge, July 1, 1863, Gettysburg, July 2 and 3, 1863, after, at Williamsport and Falling Waters.

8. Address, 28, Nov. 1866, at the Inauguration of a Soldier's Monument erected by the neighborhood of Tivoli and Madalin, Dutchess Co. N. Y. J. V.

9. Personal and Military History of Philip Kearny, Maj. Gen. United States Volunteers. By *J Watts de Peyster*.

From *Rev. J. F. Tuttle, D. D.*—The Life and Character of Hon. Samuel Hanna. By *G. W. Wood*.

Historical Sketch of the First Presbyterian Church, Fort Wayne, Ind., with early Reminiscences of the Place. By *J. L. Williams*.

A Synodical Sermon before the Synod of Wabash, Nov. 21, 1869. By *Rev. Daniel Rice, D. D.*

The Bible in the Public Schools. A discourse, Nov. 5, 1869, in Second Presbyterian Church, Lafayette. Ind. By *Rev. Dr. Rice, Pastor*.

A Blow at the Public Schools! A note of Warning! A Lecture for the Times. By *Rev L. N. Brakeman, Pastor 5th Street M. E. Church, Lafayette, Ind., Dec. 5, 1869.*

From *Asher Taylor*—Annual Report of the Commissioners of Emigration of the State of New York, for 1869.

The First Golden Anniversary of the National Guard.

From *John R. Burnet*—The Deaf Mutes Friend. Vol. 1, 1869.

From *David Ripley*—New Jersey Reform School Reports. 2 to 5 inclusive.

From *J. A. Anderson*—Maps of the Rail Roads of New Jersey, and part of the adjoining States. 1869.

From *Henry N. Beach*—An Introductory Lecture to a Course of Law Lectures, delivered Nov. 17, 1794. By *James Kent*.

From *Daniel Dod*—A Key to Dilworth's Arithmetic, First Edition, 1812. The Calcutta Annual Directory and Calendar, for 1811.

A Comprehensive Atlas, Geographical, Historical, and Commercial. By *T. G. Bradford*.

A complete Hand-Book of the Coins and Banking System of all Countries and Places of Traffic on the Globe. By *Christian Nobach, Director of the Commercial College, at Erfurt, Rudolstadt, 1833.*

From *Rev. E. M. Stone*—Twenty Eighth Annual Report of the Ministry at large in the City of Providence. Jan. 23, 1870.

From *Gen. E. A. Carman*—Map and History of Antietam National Cemetery, including a Descriptive List of all the Loyal Soldiers Buried therein, together with the Ceremonies and Address on the occasion of the Dedication of the ground, Sept. 17, 1867.

From *Joseph N. Tuttle*—An Engraved Portrait of Daniel Webster, Framed and Glazed.

From Rev. George Hale—(Through Dr. John F. Ward.)

Proceedings of a General Court Martial held at New Brunswick, for The trial of Major General Lee, July 4, 1778. Printed, Philadelphia, by John Dunlap, 1778.

From Gen. J. Watts de Peyster—History of the Pennsylvania Reserve Corps, Compiled from official Reports. By J. R. Sypher, Esq., 1865.

The United States during the War. By Auguste Langel, London 1866.

Conduct of the War. Supplement. Parts 1 and 2.

Re-union of Post Phil. Kearny, No. 8, G. A. R., at Irving Hall, March 25, 1868.

The Colors of the U. S. first raised over the Capitol of the Confederate States, April 3, 1865.

Annual Report of the Adjutant General of the State of N. Y., Jan. 31, 1868. 3 Vols.

Report of the Movements, Services, and Discipline of the "Ulster Guard," for '62, '63 and '64.

The Blue Coats, and how they lived, fought and died for the Union.

Quatre ans de Champagnes a L'Armie de Potomac, par Regis de Trobriand, Ex-Maj. Gen., &c. Paris, 1868. 2 Vols.

Hitchcock's Chronological Record of the American War, from Nov. 8, 1860 to June 3, 1865.

The Military Gazette, Vol. 11, Jan. 1 to Dec. 15, 1859.

Expedition of the British and Provincial Army under Maj. Gen. Amherst, against Ticonderoga and Crown Point, in 1759.

Exodus of the Western Nations. By Viscount Bury, M. P., London, 1865. 2 Vols.

The History of the Life of Gustavus Adolphus, King of Sweden, surnamed the Great. By Rev. Walter Harte, M. A., London, 1859. 2 Vols.

The Lives of the Popes, from the time of our Saviour to the Reign of Sixtus IV. By Baptista Platina. Translated into English, and continued from 1471 to the present time. By Sir Paul Bycaut, Kt. 2d Edition. London, 1868.

The Shipwreck and Adventures of Mons. Pierre Viaud, London, 1761.

Lives of the Princesses of England, from the Norman Conquest. By Mary Ann Everett Green. 5 Vols.

Manual of the Corporation of the City of New York, for 1861. By D. T. Valentine.

Onward. A Magazine, conducted by Capt. Mayne Reed. Vols. I and II.

Memoir of Rip Van Dam. The Culture demanded by the Age. The Moral and Intellectual Influence of Libraries upon Social Progress. By Fred. de Peyster, President of New York Historical Society.

Julius Cæsar; Did he cross the Channel? Reviewed by John Wainwright.

Manual for the use of the Legislature of the State of New York.

Catalogue of Books in the Library of the N. Y. Historical Society, presented by Gen. J. W. de Peyster.

From Charles Cothorn—Reminiscences of Old Gloucester. By Isaac Mickle.

An Historical Discourse at the Centennial Celebration of the Battle of Lake George, 1755. By Courtlandt Van Rensselaer.

E. Armstrong's Address at Chester, before the Historical Society of Pennsylvania, Nov. 8, 1851, and W. H. Reed's Address, Jan. 28, 1848.

Journal of Isaac Senter, Physician and Surgeon, in Arnold's Expedition against Quebec, in Sept. 1775.

Proceedings of the New York Hist. Society, Jan., April, 1848, Feb. 1849, June, 1847, Jan. 1849.

Reports of Trustees of the Astor Library, from 1851 to 1862, inclusive.

Incidents of the Early History of Carlisle, Pa., with a notice of its present condition, its Charter, and Ordinances, 1841.

Minutes of the Convention of Delegates from the Synods of New York and Philadelphia, and from the Association of Connecticut, held annually from 1766 to 1775, inclusive. Printed 1843.

"Remember the Days of Old." The Last Sermon preached in the Old Presbyterian Church, Westfield, N. J., Jan. 26, 1862. By Rev. E. B. Edgar, Pastor.

Historical Record of the Church of the Forks of Brandywine, Pa., from 1735 to 1849. By Rev. J. N. C. Grier, D.D., Pastor.

The Origin and History of the Presbyterian Church, New London, Pa. By Robert P. Dubois, Pastor, 1845.

History of the Presbyterian Church in Mercersburg, Pa. By Thomas Creigh, 1846.

Gleanings for the History of the Prot. Ref. Dutch Church of Harlingen, Somerset Co., N. J. By C. C. Hoagland, 1847.

Facts connects with the Early Settlement and Growth of Mount

Morris. A Dedication Discourse, Feb. 1855. By Rev. D. Chichester.

History of the Cedar Grove Presbyterian Church, of East Earl Township, Pa. By Rev. John Leaman, M. D., 1853.

Historical Account of the First Presbyterian Church, Newburyport, Mass., 1826. By Samuel P. Williams, Pastor.

A Discourse in the First Presbyterian Church, Newburyport, Nov. 19, 1844, the 50th Anniversary of the Author's Ordination. By Daniel Dana, D.D., Pastor 2d Presb. Church.

A Historical Discourse, Jan. 7, 1846, at the First Centennial Celebration of the Organization of First Presb. Church, Newburyport. By Jonathan F. Stearns, Pastor.

Proceedings on the account of the One Hundredth Anniversary of the ordination of Rev. Joseph Lathrop, D.D., West Springfield, Mass., 1856.

Apostolic Magnanimity. A Sermon at the ordination of Rev. Wm. Williams July 5, 1821. By S. P. Williams, Pastor First Presb. Church, in Newburyport.

The Fathers and the Children. Two Sermons, Fast Day, April 6, 1848, in 2d Presb. Church, Newburyport. By W. W. Eells.

A Sermon addressed to the Presbytery of Londonderry, April 30, 1851. By Daniel Dana, D.D.

Rev Mr. Withington's Sermon for the Two Hundredth Anniversary of the standing of the First Church in Newbury, on its present site.

A Discourse on the Burning of the Theatre in the City of Richmond, Dec. 1811. By A. Alexander.

Records of the Life of the Rev. John Murray, Late Minister of the Reconciliation. Written by himself, Boston, 1816.

Universal Salvation, a very ancient doctrine; with some account of its author, Gen. 3:4. Printed by Cornelius Davis, 1810.

An abstract of the Evidence taken in the House of Commons against the orders in Council, 1812.

Serious Considerations. A Pamphlet against the Election of Jefferson to the Presidency.

Confession of Faith, Catechism, &c., of Public Authority in the in the Church of Scotland, Edinburgh, 1793.

The Psalms of David, Hymns and Spiritual Songs, Heidelbergh Catechism, Confession of Faith, &c., of the Reformed Church in the Netherlands, New York. 1789.

Psalms of Watt, with his Preface, Dec. 1, 1718, with tunes in the Tenor Part, fitted to the several Metres. 13th Edition.

The Psalms of David, with the Ten Commandments, Creed, Lord's Prayer, &c., in Metre; also the Confession of Faith, Liturgy, &c. Translated from the Dutch, for the use of the Prot. Reformed Dutch Church, City of New York. 1767.

The Trials of the Murderers of Richard Jennings, held in Goshen, N. Y., 1819.

Nath. Scudder's Letters to his son Joseph, at the War Office, Phila., 1778 and 1780. Dated at Freehold, York Town and Hides Town.

The First Draft of the Constitution of New Jersey. M. S.

Thomas Payne, Address to the Citizens at a Democratic Meeting at Bordentown, June 29, 1803. Broad Sheet.

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SKETCH OF REV. BARNABAS KING, D.D.,

BY THE REV. JOSEPH F. TUTTLE, D.D.

The first half of this century, was marked by no event more important in its results, to the region of country of which Rockaway, Morris Co., is the centre, than the entrance of the Rev. Barnabas King upon his duties as Pastor of the First Presbyterian Church in that town; the moral force he exerted effecting an entire change in the character of the people coming within the sphere of his influence. Under a conviction that many members of the Historical Society of New Jersey will be pleased to have in a permanent form some memorial of a life so intimately connected with the local history of a portion of the State of which, comparatively, little is known, this brief narrative is submitted for their acceptance.

Mr. King was a native of New Marlborough, Mass., born June 2d, 1780. He graduated at Williams College, September 5th, 1804, and was licensed to preach by the Berkshire Association sometime during the autumn of 1805. On the 24th of December, 1805, he first touched the soil of New Jersey, and soon began to preach at Sparta, in Sussex County, and also occasionally at Berkshire Valley and Rockaway, in Morris County, his first sermon in the latter place having been preached on Friday evening, January 24th, 1806, at a private house, on the text, "To every thing there is a season, and a time to every purpose under the heavens." (Eccles. 3:1.) Occasionally during that year he supplied the Rockaway pulpit, but in October, 1807, he made an agreement to supply that pulpit and the one at Sparta on alternate Sabbaths. His labors were so acceptable that on the 25th of September, 1808, he was called to be pastor of the church at Rockaway, the call being signed and attested by the Rev. James Richards, D.D., of Morristown, as Moderator of the Parish Meeting. On the 27th of December, 1808, he was ordained and installed pastor of the church by the Presbytery of New York. The services took place in the old church, which was not as comfortable as many a modern barn, and which had no stove to warm it. Among the great men who were present were Drs. Griffin, Hillyer, Richards, John McDowell, Perrine, the Rev. Aaron Condit and others.

Dr. McDowell, of Elizabeth, then in the third year of his ministry, preached the sermon from the words "These things saith he that holdeth the seven stars in his right hand." (Rev. 2:1.) Dr. Perrine, then the pastor of the Bottle Hill Church, as Madison was called, and afterwards the associate of Dr. Richards in the Auburn Theological Seminary, delivered the charge to the Pastor. As a mark of the times, it may be stated that the services were held in that rude and uncomfortable church on a very cold day, they were begun with a congregational prayer meeting at ten o'clock, and continued until three in the afternoon. There is no tradition of a single complaint, either by the clergymen or people, although it is said that the young pastor was so thoroughly chilled that when seated at the dinner table it was shaken by his trembling. It may be added that it was several times remarked by the strong men of that Presbytery there assembled, that "there was no prospect that the young pastor could live over two years." And yet he survived every man who helped to ordain him, unless Dr. McDowell be the exception. His parish included a circle of territory whose diameter was ten or twelve miles. In that territory, for several years, he was the sole minister, and he visited with the utmost regularity every family, and in addition, held such frequent public services in the church, the school house or private house, as often to amount for weeks together to ten each week. These abundant labors, accomplished by the most rigid adherence to rule in regard to his health, studies and time, were attended with extraordinary success. The growth of the church was great, and with that there was a marvelous change in society. Schools sprang up, some young men sought the culture of the College, business grew apace, the wealth of the mines was discovered and appreciated, and the refinements of an elegant social life increased. In 1848, Dr. King preached his fortieth anniversary sermon, which was published, and a copy of it was placed among the pamphlets of the Society. The greatness and value of the good man's labors are related in that discourse, with far too much modesty, in view of the results flowing from his residence in the State. In December, 1853, he pronounced his forty-fifth anniversary discourse, which he was unwilling to publish. Its felicitous text consisted in these words, "And now behold the Lord hath kept me alive, as he said; these forty and five years, ever since the Lord spake this word unto Moses, while the children of Israel wandered in the wilderness," (Joshua 14:10.) At its close, the honored man invited his people to sing that noble lyric,

"God of my childhood and my youth,
 The guide of all my days,
 I have declared thy heavenly truth,
 And told thy wondrous ways.
 Wilt thou forsake my hoary hairs,
 And leave my fainting heart?
 Who shall sustain my sinking years,
 If God my strength depart? &c."

(Watts' Psalms, 71st, 3d p. C. M.)

It was an occasion that was both rare and grand, and one that reflected the highest honor both on the pastor and his people. On the 24th of December, 1854, Dr. King again preached an anniversary sermon, being the forty-sixth of his pastorate, and the forty-ninth of his ministry in the one church, since he preached his first discourse in Rockaway on the 24th of January, 1806.* The text in the circumstances was very thrilling. "*The night is far spent, the day is at hand.*" (Rom. 13:12,) This discourse contained many pleasant reminiscences, but its author was unwilling to give it to the press.

On the 12th of December, 1858, the Session of the Presbyterian Church at Rockaway adopted a minute and directed a copy of it to be sent to Dr. King, its senior pastor, in view of the fact that the fiftieth anniversary of his installation, as the pastor of the church, was at hand. In this minute the Session speak in terms expressive of gratitude to God for sending such a faithful man to be their pastor, and for the abundant results of his ministry. Its second and third resolutions are in these words: "Resolved 2d, That we congratulate our venerable Pastor on the approach of so interesting an anniversary, and that we earnestly desire him on the Lord's Day previous to that occasion to preach a memorial sermon of his ministry among this people. Resolved 3d, That we fervently pray God to continue our beloved Pastor to us many years more, and that his latter days may be blessed with rich and numerous proofs of the Lord's faithfulness and love." In accordance with this request the venerable man preached his fiftieth anniversary sermon, from the words "The Lord hath blessed thee since my coming," (Gen. 30:30.)† The sermon was not given to the press, but was heard

* Entered in the old Rockaway Trustee Book.

† By a pleasant coincidence, too marked to be neglected, that very year was the one hundredth anniversary of the Church's organization. Thus two interesting facts were associated in the same services. A series of discourses was consequently prepared by the Junior Pastor, the author of this sketch, the first of which was delivered on the evening of the day that Dr. King preached his fiftieth anniversary sermon. These circumstances furnished, in fact, the substance of the paper on "The early history of Morris County," submitted to the Society in May, 1869.

with profound interest by the large audience that crowded the old church.

Let it be added that Dr. King was spared to his people more than three years after the occasion just referred to. He sometimes preached, but oftener exhorted and always with acceptance. His mental faculties remained unimpaired, and his interest in everything pertaining to his friends, the church and the country, was as warm as in early manhood. The Monday night the news of the Bull Run disaster gave such horrible unrest to vast multitudes in the loyal States, was spent by him in sleep as trustful and sweet as an infant; and he said "Children, it cost us seven years of dreadful war to give us a nation; it will cost us years of more dreadful war to save that nation; but you need not fear as if it were not to be saved. It shall live and not die."

In the spring of 1862 it was thought best by himself that he tender his resignation formerly to the parish, but his faithful people to their honor refused to receive it, professing to him an unabated attachment. He had now been in that relation fifty-three years and several months. On the second Sabbath in March, 1862, he had performed his last official act in public, with a singular fitness, it being on the occasion of his last communion with the church, at the close of which he stretched forth his hands and with such pathos and beauty pronounced the apostolical benediction recorded in the thirteenth chapter of the Epistle to the Hebrews, twentieth and twenty-first verses, that many were moved to tears, and some even said they had never heard the words before! More than fifty-six years before he had preached for the first time in that congregation, and more than fifty-four years—from October 1807—he had been preaching there regularly, and lacked only less than a year of being their *pastor* during that long period, during that time he ministered in several instances to five generations of the same family, and in one case to six generations. * His honorable career was drawing to its

* When Dr. King began to preach in Rockaway, he boarded in the family of Moses Tuttle, Esq., the sixth child and fifth son of Colonel Joseph Tuttle, of Hanover, and his wife Abigail Ogden. Col. Tuttle and his brother Timothy settled in Hanover, in Morris County, about 1733 or 4. Col. T's second wife was Abigail Nutman, a sister of the Rev. James Nutman, the second pastor of the Hanover church. Their son, the Rev. James Tuttle, was the first pastor of the churches at Rockaway and Pareippany. Dr. King was the pastor of *Moses Tuttle*; of the daughter of Moses, *Mrs. Hannah Hoff*, widow of Charles Hoff; of her daughter *Mrs. Jane Beach*, widow of Col. Samuel Serrin Beach; of her daughter *Mrs. Delia Hazzard*, the widow of the Rev. Silas H. Hazzard; and he lived to see Mrs. Hazzard's daughter and grand child on a visit to Mrs. Beach, the venerable

close; not a dog wagged his tongue against him; the entire community regarded him with unabated veneration; and now he placed on such a public career the beautiful crowning act of that benediction.

People are wont to note coincidences, and it was noted as singular that the very day that Dr. King's resignation was laid before the parish, and declined as already stated, he became ill, and after a sickness of several days he passed from earth as peacefully as a little child passes into sleep. He rested from his labors on the 10th of April, 1862, and on the 13th his remains were consigned to the grave, in the midst of such a concourse of people as was never before gathered in that old yard. At his own request the funeral sermon was preached by his colleague in the pastorate of the church, who selected for his text on the occasion the words "By the grace of God I am what I am; and his grace which was bestowed upon me was not in vain; but I labored more abundantly than they all; yet not I, but the grace of God which was with me." (1 Cor. 15:10.) This discourse was published, and is among the Society's pamphlets.

In his able and interesting history of the Presbyterian Church, Dr. Gillett thus describes Dr. King, of Rockaway, in language which does not seem extravagant to those who knew him. "Frail and feeble in appearance, and supposed by all to be consumptive, he was spared to the discharge of a long and useful pastorate. * * * * But while faithful to his special charge, he did not neglect the missionary field around him. With the best men of the Jersey Presbytery he bore his full share in itinerant evangelization, going from Powles Hook to the Delaware, to tell the destitute of Christ. The monuments of his success were scattered around him far and near. One of the most eminent of his cotemporaries—the Rev. Albert Barnes—remarked that he knew 'of no minister whose walk and labor and success had been so admirable as those of Mr. King of Rockaway.' His great ambition was to win souls. His one book was the Bible. As a preacher, he was simple and scriptural; and his whole course was characterized by good sense, consummate

great-grandmother, who is still living! Making six generations of one family who lived in the period of his ministry. The late Matthias Kitchel, Esq., also married *Caroline Beach*, the great-granddaughter of Moses Tuttle, and Dr. King lived to see her grand children. He ministered to five generations of Captain *Stephen Jackson's* family, viz: Capt. Stephen Jackson, his son Col. *Joseph Jackson*, his daughter *Mrs. Sarah Dubois Halsey*, and her children and grand children. The same was true in other instances. The whole constitutes a singular and perhaps not very easily paralleled statement of permanence and longevity in his pastoral office.

judgment, earnestness of purpose and devotion to his work. Usefulness he preferred to eloquence or learning. Yet his utterance was always manly, and at times fervent. One of his most critical hearers remarked 'that he never said a foolish thing.' Amid fragrant memories and the rich harvests of the usefulness he coveted, he descended to the grave in a ripe and beautiful old age. The wrinkles of more than fourscore years were on his brow, but there were no wrinkles on his heart. His closing hours were marked by peace and cheerful hope, and when called to depart he was ready for the summons." He lacked only two months of being eighty-two years of age.

* History of Pres. Church, I 559-61.

OBITUARY NOTICE

OF

REV. DANIEL V. McLEAN, D.D.

RECEIVED FROM MR. E. H. FINCH, OF RED BANK, N. J.

The REV. DANIEL VEACH McLEAN, died at Red Bank, on Tuesday night, Dec. 23d, 1869. He was born in Fayette county, Pennsylvania; Nov. 24th, 1801. His early life was spent in Ross County, Ohio, where he attended the State University, graduating therefrom in 1824. After teaching for about three years at Greencastle and Chambersburg, Pa., he entered Princeton Theological Seminary, where he remained two years, when being licensed to preach by the Presbytery of Carlisle. He assumed pastoral charge of the First Church at Lebanon, Ohio, where he remained two years.

He was called thence to the Old Tennant Church, in this County, where he ministered four years, during which time he organized the village Church at Freehold, and became its first pastor. Here he remained through a successful and very acceptable ministry of fifteen years; resigning in 1850 to assume the responsible trust of the Presidency of LaFayette College at Easton, Pa. To his untiring energy and devotion during the six years of his control, more than to any other cause, that Institution owes its present prosperous condition; its affairs being at that time in a very discouraging state. He resigned there to go to Europe, where he spent the greater part of four years. At that time the charter of our Raritan & Delaware Bay R. R. was obtained, and the Torreys, with little or no capital, were making great efforts to prosecute the work. Unsuccessful at home, Mr. William Torrey, Sr., had gone to London to try to interest foreign capital in our behalf, and failing in his efforts, was about to leave there for home, thoroughly disheartened, when he met Dr. McLean, who persuaded him to wait a little longer, while he interested himself in the work. The result was he induced a wealthy banker to enlist in the enterprise, with whose money it was given life. The Doctor has always taken great interest in watching the road, he aided so powerfully, in its gradations of progress toward a firm and paying basis.

Returning to this country, he accepted a call to the 1st Presbyterian Church of Plainfield, N. J., where he remained but a year; receiving and accepting a call to the pastorate of the Presbyterian Church of this place.

On taking charge here, he found a small membership struggling under a heavy church debt and with no parsonage building. After six years hard work, his death finds the church with a largely increased membership; with no church debt; a fine organ and a handsome Parsonage with very little debt upon it.

As a man among men, he was genial and sociable in his nature, possessing a kind heart and without any of those eccentricities of character, so common among men of mark—dignified, yet not morose, he carried his ministerial character wherever he went, and was in all respects a christian gentleman.

As a Preacher of the Gospel, he excelled, possessing talent peculiarly fitting him for his work.

The education and training of early life, the natural force of his character, his keen observation of men and things, his long and ripe experience, the zeal and energy with which he prosecuted it, with a natural love for his work (as he often expressed it,) stamped him as a preacher of no ordinary ability and power. His discourses were plain, pungent, forcible and earnest, full of Christ and his sinner.

His power as a preacher has been felt in both hemispheres. During the four years he was in Europe, he preached in most of the noted London pulpits of that time, and has since kept up an extensive and uninterrupted correspondence with many whose friendship he then secured, and whose high esteem he has since enjoyed. For more than twenty years in this County alone, he has been a vigorous and earnest preacher of the truth.

As a pastor, the care of the church was a burden of his life. His zeal for the spiritual prosperity of his people was often excessive. Those who knew him best often witnessed his dejection and sadness when the ways of Zion seemed to mourn in the declension of the graces of his people.

In his death the community sustain a loss, but the church a far greater one. Six short years of active service and labor have endeared him to the hearts of his sorrowing people who mourn his loss. In losing him they have lost a faithful friend, a wise counsellor, a Pastor and Shepherd, a bold and intrepid leader, a faithful watchman from the walls of Zion.

ANDREW KIRKPATRICK

CITY OF NEW YORK

FROM 1803 TO 1808

JAMES GALT, JUNIOR

READ BEFORE THE NEW YORK HISTORICAL SOCIETY

1857

ANDREW KIRKPATRICK,

CHIEF JUSTICE OF NEW JERSEY,

FROM 1803 TO 1824.

BY

JAMES GRANT WILSON,

READ BEFORE THE NEW JERSEY HISTORICAL SOCIETY,

May 19th, 1870.

ANDREW KIRKPATRICK

BORN 1800 IN NEW JERSEY

ANDREW KIRKPATRICK, a native of New Jersey, was named after his grandfather in the name of his father, and descended from Scottish ancestors, who in 1730 emigrated from the British Isles to America, and settled in the State of New Jersey. He was educated at the University of Princeton, and spent some years in the study of law. He was admitted to the bar, and practiced for some years. He was elected to the Legislature of the State of New Jersey, and served in that body for several years. He was also elected to the Congress of the United States, and served in that body for several years. He was a member of the American Philosophical Society, and of the American Academy of Arts and Sciences. He was a man of great talents, and of high character. He was a devoted friend of the cause of liberty, and of the rights of the oppressed. He was a man of great energy, and of great perseverance. He was a man of great integrity, and of great honesty. He was a man of great courage, and of great fortitude. He was a man of great wisdom, and of great judgment. He was a man of great kindness, and of great compassion. He was a man of great generosity, and of great liberality. He was a man of great piety, and of great devotion. He was a man of great faith, and of great hope. He was a man of great love, and of great charity. He was a man of great respect, and of great honor. He was a man of great esteem, and of great admiration. He was a man of great influence, and of great power. He was a man of great glory, and of great fame. He was a man of great honor, and of great respect. He was a man of great esteem, and of great admiration. He was a man of great influence, and of great power. He was a man of great glory, and of great fame.

and migrated to Bristol, England, where he remained for a few years, and then in the Spring of 1730, sailed for America. After a voyage of thirteen weeks, he arrived at New Castle, Delaware, the passengers and crew being kindly received by the authorities. He remained in the State of Delaware for some time, and then migrated to the State of New Jersey, where he remained for the remainder of his life. He was a man of great talents, and of high character. He was a devoted friend of the cause of liberty, and of the rights of the oppressed. He was a man of great energy, and of great perseverance. He was a man of great integrity, and of great honesty. He was a man of great courage, and of great fortitude. He was a man of great wisdom, and of great judgment. He was a man of great kindness, and of great compassion. He was a man of great generosity, and of great liberality. He was a man of great piety, and of great devotion. He was a man of great faith, and of great hope. He was a man of great love, and of great charity. He was a man of great respect, and of great honor. He was a man of great esteem, and of great admiration. He was a man of great influence, and of great power. He was a man of great glory, and of great fame.

The Kirkpatrick family crossed the Delaware River, and migrated up through the State of New Jersey, which was generally settled by them, and then reached Bound Brook, and from that point crossed the mountains, coming to a point of water, where the river was called "Brook." They remained in that place for some time, and then migrated to the State of New Jersey, where they remained for the remainder of their lives. The spot was well chosen, about ten miles west of the present site of Raritan Bridge, in Somerset County.

ANDREW KIRKPATRICK,

CHIEF JUSTICE OF NEW JERSEY.

ANDREW KIRKPATRICK, a Jurist and a Judge of New Jersey, whose name will always be conspicuous in the annals of his native State, was descended from Scottish ancestors, who, notwithstanding they were strict Presbyterians, were nevertheless actively and patriotically engaged under the Earl of Mar, in the rebellion of 1715, in favor of Prince Charles Edward, the young pretender to the throne of Great Britain. They afterwards availed themselves of the clemency of the Government, which was satisfied with exacting no higher penalty at that time than expatriation, a penalty however felt more keenly by the Scotch, with their never-dying love for their native land, than it would have been by the people of other countries. Alexander, the grandfather of Judge Kirkpatrick, accompanied by his family, turned his back sorrowfully upon bonny Scotland, singing as he departed, Allan Ramsay's sad farewell song of—

“Locharber no more, Locharber no more,

We'll may be return to Locharber no more.”—

and migrated to Belfast, Ireland, where they remained for a few years, and then in the spring of 1736, sailed for America. After a stormy voyage of thirteen weeks, the vessel reached New Castle, Delaware, the passengers and crew being nearly starved, by reason of the unexpected length of the passage. David, the son of Alexander, who was then twelve years of age, speaking of this to a grandson in after years, said: “The first thing I eat after I got ashore was corn, in the state we call roasting ears, and without roasting or boiling. I ate it till the milk of the corn ran down both sides of my mouth, and I have never eaten anything since that tasted sweeter.”

The Kirkpatricks crossed the Delaware at Philadelphia, and wandered up through the State of New Jersey, which was partially settled, till they reached Bound Brook, and from that they went over the mountain, Coming to a spring of water, at what has since been called “Mine Brook,” they halted, built a log house, and began the business of farming. The spot was well chosen, about two miles west of the present site of Rasking-ridge, in Somerset County.

It embraces the southern slope of Round Mountain, in a well wooded region, with unfailing springs of pure water, rich meadow land through which Mine Brook ran, with sufficient fall of water for a mill seat, and with these material advantages a most charming and picturesque view of the adjacent country. The material advantages and lovely prospect, however, had less influence on the decision of Alexander Kirkpatrick to settle where he did, than the circumstance of its proximity to a minister who preached the word of truth to his perfect satisfaction. He thought less of his daily food than he did of good preaching and exposition of the Scripture, as set forth by the Rev. Joseph Lamb, in the old log church, erected by a small band of Scotch Presbyterians, who settled at Basking Ridge early in the eighteenth century. Alexander Kirkpatrick died in 1758, having lived under seven different reigns of Great Britain, Charles the Second, James the Second, William and Mary, William Anne, George the First and George the Second. The spring of water is still there, marking the site of the original log house, and until within a few years could be seen the remains of apple trees planted by Alexander Kirkpatrick and his three sons. This improvement many of the proprietary leases required. In a lease of one hundred and thirty-seven acres, which was but a minor portion of what the family eventually obtained by title and fee simple, granted Nov. 23, 1747, to Alexander Kirkpatrick, he agrees "to plant an orchard of at least one apple tree for every three acres, and in case this lease shall continue beyond three years, then to plant one apple tree for every six acres, all regular in an orchard, and to keep up the number planted, and to keep the orchard in good fence."

David, the second son of Alexander, was born in Dumfriesshire, February 17, 1724, and married Mary McEwen, a native of Argyleshire, who with her family crossed the Atlantic in the ship in which the Kirkpatricks took passage. One of her descendents still living, remembers seeing her a few weeks before her death, which took place at Mine Brook, November 2d, 1795, and also remembers how tenderly David, during his annual visits to her father, the Chief Justice would take her on his knee and say in his broad Scotch, "my pretty Mary, my pretty Mary, may you but fill your station in life as well as your grandmother, for whom you were named, did her's," and would sing to her and her sisters Francis Sempell's sweet Scottish song of Maggie Lauder. Her husband's elder brother Andrew inherited the homestead, but soon after the death of their father, sold it to David, and remove to what was then called "the Red Stone Country," in other words to Western Pennsylvania,

where his descendents still reside. David was a rigid Presbyterian of the John Knox School, and described by those who knew him, as strongly resembling another David, the David Deans of Scott's "Heart of Mid Lothian." Plain and simple in his habits, of strict integrity and sterling common sense, he was a man of great energy and self-reliance. We have an exponent of what he was in the fine substantial stone house which he built at Mine Brook one hundred and five years ago, with its thick, firm walls laid in mortar almost as hard now as the gray sand stone itself, and with floors made of white oak inch plank, laid double. The old stone work and the old pointing, look nearly as fresh as on the addition recently built by its present occupant. With proper care, the house might be made to last many centuries. On a stone over the front door (but now concealed by a new portico,) are chiselled D. M. K., 1765, the three initial letters standing for David and Mary Kirkpatrick. The father of Judge Kirkpatrick lived to enter his ninety-first year, educated with a view to his entering the ministry one son at the College of New Jersey, knew of at least six grand-sons who were liberally educated, and at his death in 1814, left a numerous posterity to bless his memory. Although he lived two miles from the church at Basking Ridge, he always preferred to walk, while the family rode, and when a member of the Legislature, although he would commence the journey on horse-back, he soon dismounted and leading his horse walked the remainder of the way to Trenton. In his last will executed thirteen years before his death, he says: "I, David Kirkpatrick, having arrived at a good old age, and being desirous of arranging and settling my worldly affairs, and directing how the property wherewith it hath pleased God to reward my labors, should be disposed of after my death, etc.," and concludes, "And now having disposed of all my worldly concerns, I humbly commit my soul to God, my Heavenly Father, in an humble hope that through the intercession of Jesus Christ, my Saviour and Redeemer, I shall be raised again at the last day in glory everlasting." Both as to the great concerns of eternity and the things of time, he seems to have acted in the spirit of the short end comprehensive motto of the Kirkpatricks, so well adapted to every situation and condition of life—"I mak sickce," "I make sure." He was buried in a coffin made from the wood of a walnut tree planted by him in boyhood, and which he caused to be cut down a few years before his death and kept for that purpose. Several tables were made from it which are still in the possession of his descendants, on one of which this brief memorial was written.

Andrew, the third son of David Kirkpatrick and Mary McEwen, was

born at Mine Brook, February 17th, 1756, and spent his boyhood in the stone house already described. He received the best education the times afforded, graduating in the College at Princeton, (an institution which has sent forth many illustrious men, including his friends and cotemporaries, James Madison, Richard Stockton and John Henry Hobart), in 1776 while the celebrated Dr. Witherspoon, one of the signers of the Declaration of Independence was its President. There were in those early days no railroads or steamboats, nor even stage coaches to carry young men to College, and young Kirkpatrick, like the majority of the students, walked to and fro between Mine Brook and Princeton, carrying his home-made and home-spun clothing in a small knapsack. The early College records are not in existence, having been destroyed by fire, but we cannot doubt that Andrew Kirkpatrick graduated with honor, if not indeed with distinction. His only surviving child has no recollection that he ever in the family circle referred to his College standing, the only allusions to his College days that I have met, are contained in Prof. Geyer's History of the Cliosophic Society. He says, "Andrew Kirkpatrick of the Class of 1775, a student in the office of William Paterson, and Associate Justice of the Supreme Court of New Jersey, then Chief-Justice for twenty-one years, the *bear ideal* of a Minister of Justice, whose name will always be conspicuous in the juridical annals of his State—in 1825 gives this testimony: 'Few things could give me greater gratification than to be present with you and to see the Society in a flourishing condition, after the lapse of fifty years from the time I left it. The recollection of the happy hours I have spent in the Cliosophic Hall, and of the early friendships there formed, the recollection too of the first spring it gave to my feeble powers in the pursuit of literature and science, and of the prospects it opened—the hopes it inspired for future life, and indeed, *like the memory of joys that are past, soothing and melancholy to the soul.* When I look over the catalogue, I find that the members of that day are almost all consigned to the silent tomb. The friendships then formed, however, though swallowed up in death, are not extinct, but sealed for immortality. They soon went forth upon the stage of life, played their several parts, a few of them badly, most of them well, and some with great applause, and then passed away and are gone forever. In this retrospect, and it is a retrospect which I often delight to take, I have traced the paths my friends have trodden, and if I have attained to any one truth, it is this, *that classical learning is the road to pre-eminence and distinction in all the liberal pursuits of life.*"

Returning to his birth-place after receiving the degree of Bachelor of

Arts in 1775, and having been educated with a special view to the ministry of the Dutch Presbyterian Church, (his father designing him for the clerical profession,) he commenced theological studies with the Rev. Samuel Kennedy, a celebrated Dutch divine settled at Basking Ridge. Six months study satisfied him that the ministry was not agreeable to his taste, and he determined to relinquish it for the law. Young Kirkpatrick exhibited on this critical occasion an evidence of that determined spirit which was destined to carry him through more than ordinary difficulties, to the highest professional eminence. He was informed that the step he contemplated could only be taken at the expense of his father's favor, and the pecuniary support which had been most liberally extended to him. His resolution, however, had been deliberately taken, and notwithstanding the veneration not unmixed with awe, with which he had always been accustomed to regard the injunction of a parent, who appears to have united a real regard for the best interests of his son, with great inflexibility of opinion and sternness of character, he hesitated not, on this important occasion, which involved the destinies of his life, to forfeit even his father's countenance and protection, and to enter upon his favorite pursuit, relying for subsistence upon his own extraordinary and unaided exertions. When he thus gave a death-blow to his father's hopes, and was in consequence driven from the parental roof absolutely penniless, he would have been in a sad dilemma, had it not been for a kind and loving mother's bounty, who presented him with all her little hoard of ready money, but a few pieces of gold, as she with many tears saw him, her handsome son, the pride of her heart, depart to carve out unaided, his own career in the world. The usual resources of young men in such circumstances, presented itself to Andrew Kirkpatrick when in his twenty-first year, and he became a tutor in the Taliferro family of Virginia, subsequently residing for a year as a tutor in a gentleman's family at Esopus, Ulster County, New York. Thence he proceeded to New Brunswick, the oldest town in the State, and opened a boy's school. While thus occupied, as well as during the time he acted as a tutor, he pursued with diligence in his leisure hours, the study of the law, and soon after abandoned the school and school teaching to enter the office of William Paterson, one of the first lawyers of his day. It was of this gentleman that Moses Guest, New Brunswick's earliest poet, and a friend of the subject of this paper, wrote July 4th, 1791 in seeing the Governor in his barge, which was elegantly decorated with laurel and a variety of the most beautiful flowers, and rowed by twelve men all dressed in white.

"On Raritan's smooth, gliding stream we view,
With pleasure view, the man whom we admire,
On this auspicious day with laurel crowned.

How gracefully the honored barge moves on!

See Neptune's sons all clad in white

Timing their oars to the melodious flutes!

* * * Not Cleopatra's celebrated barge.

When she, full armed with each bewitching charm

A tyrant bound in the sweet chains of love,

More elegant or pleasing could appear,

Nor did contain a jewel of such worth.

Not freighted with a proud, intriguing Queen—

She nobly bears New Jersey's favorite son,

Our guardian chief, our friend, a *Paterson*."

Completing his legal studies in the office of Judge Paterson, Andrew Kirkpatrick was admitted to the bar in 1785, where talents of a high order, aided by the energy of his character and the most persevering industry, soon obtained for him a lucrative practice in Morristown, to which place he removed from New Brunswick. While practicing his profession in Morristown and residing with his sister, Mrs. Este, the young lawyer sustained a heavy loss in the destruction by fire, in the Autumn of 1787, of all his law books. They were not many, but their loss was a grievous loss to him, with his then limited means. Returning to New Brunswick, he was successful in obtaining a lucrative practice, and was soon enabled to replace the volumes which had been destroyed. Andrew Kirkpatrick's remarkable success in gaining business was in good part the result of his untiring industry. He was well aware that there are no royal roads to learning, and he practiced the brave and noble exhortation which he often preached in later years to his sons and other young friends, "Whatsoever thy hand findeth to do, do it with all thy might." Another favorite maxim with him was that, "Whatsoever was worth doing *at all*, was worth doing *well*."

The estimation in which the successful young lawyer was held by his fellow citizens was shown by his being elected a member of the House of Assembly in 1797. He sat with that body during its first session; but on the seventeenth of January he resigned his seat, having accepted the position of a Judge in the Supreme Court. Six years later he was advanced to the office of Chief Justice of the State as successor to the Hon. James Kinsey. He was twice re-elected, holding the high and honorable position for twenty-one years. "He was the *beau ideal*," says Aaron Ogden Dayton in an address delivered in 1839, "of a minister of justice. No powdered wig or ermined robe was required to excite reverence for the bench on which he presided. His snow-white hair, his clear, florid complexion, his dark, lustrous eye, his strong but

delicately chiselled features, the expression of gravity and firmness, blended with a placid sweetness in his countenance, his imposing form and the easy, graceful dignity with which he discharged his judicial duties, arrested the attention of the most ignorant and thoughtless, and inspired the beholder with a respect approaching to awe. His enunciation was slow and distinct, his voice full and musical, and his opinions, when not previously prepared, were delivered with fluency and clearness; when written, the language in which they were clothed was marked by great purity and precision. But it was not only in the external qualities of a judge, important as they are, that he excelled. He was a learned, and in regard to real-estate, a profoundly learned lawyer. It is said by the late Charles Butler, one of the most eminent jurists of his day, that he is the best lawyer, and will succeed best in his profession, who best understands Coke upon Lyttleton. Few members of the bar have studied those great writers more diligently or comprehended their works more thoroughly than the late Chief Justice of whom I am speaking, and upon many of the difficult questions respecting title to land which came before him for adjudication in the course of his long official career, his opinions exhibit a depth of research, a familiarity with leading principles, a clearness of comprehension, a power of discrimination and a justness of reasoning, which, upon such questions, secured him the particular confidence of the bar, and entitled him to rank among the first American jurists. His mind was not rapid, but it was uncommonly exact, and the want of quickness was carefully supplied by unwearying application to the object of research. His frequent re-election to the bench by the representatives of the people of the State, unaffected by the mutations of party, sets the seal of public opinion to his impartial administration of justice, the general integrity of his character and the ability with which his duties were performed."

Andrew Kirkpatrick's fame as a judge, the character of his mind, his powers of reasoning, his legal acumen and varied and extensive attainments can best be gathered from an examination of his learned and elaborate opinions contained in Pennington's, Southard's and the first three volumes of Halsted's reports of the Supreme Court of New Jersey. Many of his judicial opinions, such as the decision made in the case of Arnold against Mundy, are among the most important ever made in the State.

The contemporaries of the Chief Justice have, of course, all passed away, and there are, comparatively, few now living who have any personal recollections of him as an Associate Judge, or even as the presiding

Judge of the Supreme Court. His nephew, Hon. D. K. Este, of Cincinnati, and son-in-law of President Harrison, writes : " From my boyhood all my recollections of the Chief Justice are most respectful, favorable and affectionate. On my way to and from Princeton College, I was always kindly received and entertained, and had the great benefit of his friendly advice. In the early part of the year 1809, a few days before I left my father's house for the West, I called to bid my uncle good-bye. When I stated to him that I intended to practice law in Ohio, he said if I had determined to go, he would give me letters of introduction, and he did, saying, when he handed them to me, as a young lawyer going to a new country, when you commence the practice of the law, be the first man in the court-room and the last to leave it, and never accept of an office till you are able to live without it."

Chancellor Halsted, in writing to me, says : " Judge Kirkpatrick was Chief Justice when I and five others were examined for license in 1814 before him and the other Judges of the Supreme Court and bar. I well remember that, after announcing our admission, the Chief Justice made a few remarks to us in which he impressed the necessity of continued study, and said, in substance, that if we would set apart three hours a day to reading law for three years, that we would make lawyers. I saw him often afterward on the bench of the Supreme Court at Trenton and of the Circuit Court of Newark. I have argued before him in both courts. I have often sat at a dinner table of the bench and bar at Newark with him ; but I was too young to be very near him while there were so many old and distinguished counsel at the table. I only knew Andrew Kirkpatrick as Chief Justice, not in social life, but as one holding a position so far above me, as to be beyond even my ambition. His personal appearance, the majesty of his countenance, and the dignity with which he presided on the bench were so striking that to this day, the impression made on my mind still remains, that he was the most splendid judicial representation of the *jus bonumque* of Sallust I have ever seen."

Another Ex-Chancellor of New Jersey, Hon. Henry W. Green, writes : " The bar of the present day know very little of the life of Chief Justice Kirkpatrick, one of the most eminent of our judicial officers. Traditions, indeed, are rife among the profession of his judicial dignity, of his commanding appearance and manly beauty, of his caustic severity, of the extent and accuracy of his common-law learning, of his contempt for pretention and ignorance ; but here our information ends."

An honored citizen of Newark who has well represented our country abroad, Hon. William B. Kinney, writes to me from Florida: "My present recollections of the Chief Justice are those of a boy law-student, who was deeply impressed by his manly beauty and grace, his imposing bearing on the bench, and his fine Grecian head and bust, among the finest I have seen among living men. I was too young to appreciate his higher qualities as a civilian."

Judge Elmer, one of the oldest members of the bar of New Jersey, in practice for many years while the Chief Justice was on the bench, informs me that he was the best looking and fairest presiding officer that he ever saw in a court, and that the judge told him that he had never known what it was to be sick, not even from a head-ache. "It was the custom then," adds Judge Elmer, "for the judges going the circuits to be entertained by some member of the bar or other person, their salaries being small." On two occasions the Chief Justice took up his quarters with me at Bridgeton. At the time of his first visit in June, 1821, eight or ten judges and justices dined together at the public house. It had happened a few days previous that a suit had been tried before a hard-mouthed justice, present at the table, when the lawyers engaged in the case got angry. The justice tried to stop them in vain; at last he cried out: "Stop; I give judgment for the plaintiff, and may you all go to hell together." This story was told to Chief Justice Kirkpatrick at the table. After listening to its recital, he turned round very gravely to the justice, who sat near him, and said in his dignified manner: "My dear Sir, however correct the first part of your judgment was, I think, in compassion to the parties and lawyers, we shall have to reverse the concluding paragraph."

"I may in this connection relate another incident. On one occasion the judge, who prided himself on his punctuality, was delayed by his horse throwing a shoe, and was compelled by the time lost in having it replaced, to drive fast in order to arrive at his destination at the hour appointed for the court to open. Overtaking another vehicle containing two persons, going slowly in the same direction, he courteously requested them to permit him to pass as he was in haste, but when he attempted to go by they obstructed the way, and, with a dog-in-the-manger spirit, would neither hasten on themselves, nor permit the judge to do so. The result was that he arrived half an hour late. After the court had been duly opened, the judge describing to the sheriff the men who had impeded his progress in the highway, directed him to cause their arrest. The culprits were soon found and brought before

the court where, for the first, they recognized with fear and trembling the Chief Justice, who administered a severe rebuke, and imposed a heavy fine upon them for impeding his path, and thereby delaying the opening of the court and the administration of justice.

“Chief Justice Kirkpatrick, who was a firm believer in capital punishment and the whipping-post, and had little faith in confining criminals in State Prisons, from which they might be pardoned out, used to remark, “that there were but three ways of punishing—‘by the *neck*, *back* and *pocket*,’ and, in passing a judgment on a criminal, would say: ‘And this is the wages of sin.’”

Andrew Kirkpatrick was superseded as Chief Justice by the Legislature appointing a successor in 1824. It was done so secretly that neither the judge nor his troops of friends and admirers had the slightest suspicion of such a proceeding till the act was consummated. Had they known aught of the movement, his friends were so numerous, so respectable and so powerful, including prominent men of both parties, that they would doubtless have been successful in preventing it. The judge who was still in the enjoyment of a vigorous manhood, if not, indeed, actually in the prime of life, and against whom there had never been a breath of reproach, felt deeply hurt at his uncalled-for removal, as well as the secret manner in which it had been effected.

Having now briefly followed the official career of Andrew Kirkpatrick to its close, I will trespass a little longer on your time and patience while I retrace my steps for the purpose of making a few allusions to his home life and habits, and laying before you extracts from his private correspondence.

In the year 1792 he married Jane Bayard, the beautiful daughter of Col. John Bayard of the Revolutionary army, speaker of the Pennsylvania Legislature in 1785, a member of the old Congress which met in New York, who removed from Philadelphia to New Brunswick four years previous to his daughter's marriage. The people there showed their appreciation of Col. Bayard by elevating him to the several offices of Mayor of the city, Judge of the Common Pleas, and ruling elder of the Presbyterian Church. His portrait now hangs by the side of his distinguished son-in-law in the picture gallery of Princeton College. Andrew Kirkpatrick and Jane Bayard were called the handsomest couple in New Brunswick, which we can easily believe in looking at their portraits, taken in middle-life, and also when they had fallen into the sere and yellow leaf.

Like many other distinguished lawyers, such as Lord Thurlow, Sir

William Jones, and Blackstone, Andrew Kirkpatrick appears in early life, both before and after his marriage, to have been addicted to poetry. In 1791, after reading Beattie's *Minstrel*, he wrote:—

“ Thus little Edwin, melancholy wight
 To rocks, and woods, and wilds, and murmuring streams
 Full oft his plaintive ditty did recite
 In dreary cave. Nor dared the cheerful scenes
 Of man restored, nor converse sweet; but weens
 That man was made for woe. Mistaken Elf!
 And to appease the wrath divine, he dreams
 His life away. And in contemning self
 Repines at human nature and contemns himself.
 Ah! night-bewildered bard! more wise than man!
 Not with the lot to man assigned content!
 Canst thou correct Eternal Wisdom's plan?
 Or please by works for mortals never meant?
 Or hop'st for joys to mortals never sent?
 Avaunt! nor dare Heaven's wondrous works to scan,
 Nor chide His goodness with thy vain complaint.
 Eternal wisdom since the world began
 Beheld and saw it best that man should be but man.”

Like the great lawyers alluded to, Andrew Kirkpatrick had the resolution to abandon the Muses, and to cast off “the Delilah's of the imagination,” when embarked on a more faithful vocation.

On the first day of November, 1803, the Chief Justice writes in a diary, kept by the female members of the household: “This is the anniversary of our marriage and closes the eleventh year. As usual, we had the pleasure of the company of several of our friends. Besides those in town, we had Dr. and Mrs. Rogers of New York, and Dr. and Mrs. Tennant. How small is the possibility that we shall ever again meet together in this world!”

In the year following he writes to Mrs. Kirkpatrick, then on a visit to friends in Washington: “I am happy to hear that you got through your journey so comfortably and without any accident. As to the fatigue, that I hope will be amply compensated by the pleasure of seeing your friends and all the great people of Washington; for, however you may think of them in a different situation, now that they are the rulers of the nation, their acquaintance will be interesting. Names, in spite of all our philosophy, will have a powerful effect on the mind. Mrs. Madison, the wife of the Secretary of State, is quite a different being from Dolly Paine in her mother's boarding house, or Dolly Todd, the wife of an obscure Scotch attorney in one of the alleys of Philadelphia. I do not, however, in the least, wish to detract from worth because she has risen from low estate. I have a thousand reasons to prevent me

from doing this, and especially the instruction of the wise man, who says that kings walk on foot while beggars ride on horses. Indeed it requires but little observation to see that worth frequently dwells in obscurity. I thank you for your kind wishes that I should participate in the pleasure of your new acquaintances; I, however, have no wish on the occasion, having learned long ago that great men are great at a distance only, and that when you approach them, they generally dwindle down into common size. The President himself, I confess, I have a great desire to see; for although it is fashionable to detract from the real merit of men high in office, who do not go just as we would have them, and although I think he is greatly to be censured for many things which he has done, both in acquiring and managing the presidency, yet he has always appeared and still appears to me to be a man of distinguished talents, and, I have no doubt, an honest zeal for the public good. And, though he should suppose that this good can be best promoted by having the administration in his own hands, and should be guilty of some aberrations from right to preserve and maintain the administration, yet in this how does he differ from those who oppose him? I believe not much."

In another paragraph of the same letter he gives a picture of the primitive mode of travel between New York and New Brunswick sixty-six years ago. "I have called to congratulate Mr. Scott on his marriage.

Mr. Scott, I may add, is still living]. The family chartered a sloop last week for New York, and on Friday returned with the bride and bride-groom to the no small joy of all concerned. I saw the bride in church yesterday; but as she was veiled, I could not discern her countenance."

A week later he writes to his wife: "On Friday I was asked to dine with Mr. and Mrs. Van Rensselaer of Albany, at Mr. Smith's. We had a pleasant party. Mr. and Mrs. Garnet, Mr. Lewis, Mr. and Mrs. Stone, and what added most to the satisfaction of all, just as we were sitting down to dinner Judge Paterson came in. He looks better than when he left Brunswick. Yesterday I dined at Judge Paterson's. They had no other company except the Van Rensselaers and your brother John. Mr. McCormick and Mr. Cooper of New York, came in and took a *snack* of the fragments. They all drank tea with us, and, wonderful to tell, so did Mrs. White and Miss Ellis. Mr. and Mrs. Boggs were also of the party. So you see that home or abroad we still go on, eating and drinking, and being visited, for this is the course of the world. I have been considerably engaged during the last week in

court, and, although I do not frequently trouble you with my judicial concerns, a circumstance has occurred which I cannot forbear to mention because one of my friends is most concerned in it. The famous John Smith went before the Grand Jury and entered a complaint on oath against Mr. Boggs for stealing an umbrella. Hah ! Mr. Boggs charged with stealing ! Well ! the Grand Jury, not easily gulled by the oath of such a fellow, carefully investigated the case, examined a number of witnesses who were present at the transaction complained of, and, after full deliberation by unanimous vote, indicted the accuser himself of perjury, who, for want of bail, is now confined in the county jail on that account. Surely he that diggeth a pit shall fall into the pit which his own hands have digged.” * * * * *

“I am totally unable to form any judgment about the most safe and easy way of returning from Washington. It seems to me that in the heat of summer, the cabin of a boat, with all the bilge water about it, must to you be altogether insupportable. Besides I think it was your friend Dr. Johnson who said, he would never go by water when he could go by land. But of this we will have an opportunity of saying more before you are ready to adopt either one mode or another.”

Andrew Kirkpatrick was a frequent visitor to New York, where he was acquainted with the leading men of the bench and bar by many of whom he was often strongly urged to remove to that city, as offering a better and wider field for his advancement; but he was too much attached to his native State to leave, and declined to accept any of the many inducements held forth to him to make the change from New Brunswick to New York. In his journeys between New Brunswick and New York, he generally proceeded by land in his own carriage, stopping to dine at Elizabethtown, noted in those days, as Irving tells us, for its fine girls and vile musquitoes, or more often at the celebrated Newark Inn where Archy Gifford, arrayed in his famous green coat, attended to the wants of his distinguished friend, the Chief Justice.

Sometimes the journey was made by water, occupying from thirty to forty hours. On the first day of January, 1817, he writes to Mrs. Kirkpatrick from New York : “You no doubt looked for a letter on Saturday night, but you should have remembeared that those who travel by water must wait for wind and tide. Instead of seeing New York on the day I left you, we floated with the tide only till 12 o'clock, and then grounded safely on what is called the middle ground, where we lay in a perfect calm and surrounded by a thick fog until six the next morning. After getting *under way*, as the sailors say, we had a pleasant, gentle

sail till we got within about four miles of our destination. Then again we were taught to know that our masters, wind and tide, were against us and we were obliged to cast anchor and lie in view of the city a considerable time. At length, about sundown, we arrived at the dock after a passage of thirty-two hours." From Bridgeton, in June, 1821, the Chief Justice writes to his wife: "You see I am again at Bridgeton, from whence you last heard from me. My friend Mr. Elmer, a gentleman of the bar, gave me a place in his carriage, that is in a West Jersey wagon which has neither springs nor spring seats, but which in this sandy county notwithstanding, does very well. The distance is about forty miles and we accomplished it in a day, giving ourselves plenty of time to rest and be refreshed. Upon my arrival at the Court House I was waited on by a Major Holmes and invited to his house, which invitation I very cheerfully accepted, not being over pleased with the appearance of things at the tavern. This is the same gentleman at whose house I staid when I was before in that county. He is a plain man, but very hospitable, and has everything very neat and good. His whole family consists of himself and one daughter, and, I believe, two servants. But, though pleasantly enough situated, my stay was not long. The whole time which I spent in court, I believe did not exceed thirty minutes. The court adjourned on the afternoon of Tuesday, the same day it met, and in the evening I went down with a new acquaintance to Cape Island, about thirteen miles. We reached that place about 8 o'clock, and I retired pretty early with a view to rising next morning in time to see the sun rise from the ocean, and I accordingly rose at the dawn of day and walked down to the beach; but, unfortunately, the horizon became covered with clouds, so I lost my anticipated pleasure and returned very much disappointed. Mr. Elmer came down to breakfast intending to return immediately and proceed on our way home; but as the day was very fine, the ocean to me a novel, grand and ever-varying object, and especially as they were just preparing a new kind of fishery, that is a fishery for porpuses which had never been taken there before, and of whose skins they expect to make leather, and of their blubber, oil, I persuaded him to stay, to which, having no less curiosity than myself, he readily consented. We had the pleasure of seeing their first attempt upon the porpuses and all the ecstacy of their success. *Bony* could not have been more elated with the capture of a citadel, than they were with the capture of ten of these fish. We spent the day very pleasantly, returned to the Court House in the evening, and the next day, that is on Thursday, returned

to this place. Gen. Giles, whom I met at Cape May, gave me a very friendly invitation to his house, where I have been since my return. Nobody can be more attentive, more polite and more friendly than Mrs. G. She is indeed an excellent woman. Our court here continues to-morrow, but from all the information I can collect, will last but a day or two, after which I shall take my course to Salem, about eighty miles, for which journey I have the offer of several gentlemen to accompany me and take me in their carriage, so that you see I meet with great attention and respect in *foreign countries*. My jaunt hitherto has indeed been a very delightful one, the conveyances ready, easy and convenient, and everybody respectful and polite in the highest degree. But after all, I begin to wish to be home, for *home is home*."

In November, 1822, while absent from home holding court the judge writes to Mrs. Kirkpatrick: "Your letter which I received yesterday was indeed balm to my soul. The image of my dear Elizabeth, as she lay languishing on the sofa when I took my parting kiss, dwelt upon my mind the whole night preceding. I was not conscious of having closed my eyes in sleep and of course felt much exhausted and fatigued when I arose. Your intelligence revived my spirits and my strength and I got through the day very comfortably. I have now had a good night's rest, and am this morning perfectly restored and perfectly composed. Most devoutly thanking my Heavenly Father that he has been pleased so far to check the threatening disease of our dear daughter, as to leave room at least for hope. I feel very much for you, and am exceedingly sorry that I cannot be with you in this very trying crisis; but I know you have with you another and a better friend, who can say to the sick, 'Arise and live.' O that it may please him thus to address her in whom our hearts are so nearly centered." His beautiful and beloved daughter, so fair, so fragile that she seemed fitted for other spheres than this rough world, was taken hence, and methinks I see the angels above beckoning her upwards and upwards and saying, "Sister spirit, come away."

Judge Kirkpatrick was a trustee of the Theological Seminary at Princeton, of which Institution his friends Alexander and Miller were Professors, and in which he always expressed the warmest interest. He often said that were he possessed of large means, there was no object to which he would give with greater pleasure than to a Theological Institution. He was also a trustee of Princeton College from 1807 to the time of his decease. He was one of the Vice-Presidents of the Alumni Association founded in 1826, James Madison being President.

In 1825 there was formed at Princeton a society called the New Jersey Literary and Philosophical Society. Among the members were most of the prominent professional gentlemen of the State. Chief Justice Kirkpatrick presided at the meeting at which the society was formed and he was chosen its president. The meetings of the societies and of the College Trustees often called the judge to Princeton. In 1813 Daniel Webster, then a member of Congress and at the time on a visit to Richard Stockton, dining with the late Samuel Bayard who had invited him to meet his kinsman Kirkpatrick and Ashbel Green, pronounced the Chief Justice and the College President to be two of the most remarkable men he had ever met.

Colonel William C. Alexander, a son of Judge Kirkpatrick's intimate friend Archibald Alexander, on whom the Chief Justice pronounced the jocose eulogy, "Dr. Alexander is the prince of Methodist preachers," writes: "Chief Justice Kirkpatrick had retired from the bench before I came to the bar. I have, therefore, no personal knowledge of him. I remember my boyish admiration of the grand looking old man, as dressed in the superb costume of the old school, he made his semi-annual visit to Princeton to attend the meetings of the Board of Trustees. I remember the effect produced on me while a student of College in 1823, by the dignified and most impressive and imposing manner in which he inaugurated into office the Rev. Dr. Carnahan, as President of the College; but I repeat I was not honored with his personal acquaintance, and contented myself with admiring him at a distance."

Andrew Kirkpatrick had a wide circle of distinguished acquaintances, among whom were many prominent actors in the Revolutionary war. Washington, Franklin, Lafayette, Patrick Henry, Generals Gates, Green, Knox, Lord Stirling and Hamilton he knew, or had at least seen. With many of the officers of his own State, such as Generals Frelinghuysen and White who, with "nerves of steel and hearts of oak," drove back the enemy from the fields of New Jersey, he was on the most intimate terms.

Kosciusko was often entertained under his hospitable roof, and Elias Boudinot, one of the Presidents of the Continental Congress and first President of the American Bible Society, was his particular friend. He and his daughter, Mrs. Bradford, widow of Washington's Second Attorney-General, traveling from Philadelphia to New York, always halted at New Brunswick to visit the Chief Justice. His daughter, Mrs. Dr. Cogswell, thus alludes in a private journal, to their visits: "Dr. Boudinot and Mrs. Bradford usually made a 'progress' spring

and fall, and they failed not to stop, coming and going, at our domicile. Still I hear the rumble of the old coach up the hill. I see the old gouty gentleman descend, then Madam Bradford followed by her trunks and boxes. Then the finery she condescended to show us, then the dinner in Mammy Sally's best style, then the long wearing through the day of ceremony—the breakfast, the farewell and the coach, coachman, footman and agreeable visitors departed."

The Chief Justice was a man of a singularly social turn of mind, full of anecdote, with remarkable power of narration, fond of discussion and argument, and oftentimes carrying his ingenuity to the verge of paradox. His wit, while keen and biting at times, was never ill-natured, and only severe when directed against ignorance and pompous pretension. He had many revolutionary anecdotes, among others one of his own and his father-in-law's friend, General Muhlenburg, an old-time incident and one of the most thrilling anecdotes of the war. What was said of the old ballad of Chevy Chase by Sir Philip Sidney was true of Kirkpatrick's anecdote—"it stirred up the heart's blood with the sound of a trumpet." Here is the story. When the war began in 1776, Muhlenburg was the rector of a church in Dunmore county, Virginia. On a Sunday morning he administered the Communion of the Lord's Supper to his congregation, stating that in the afternoon he would preach a sermon on "The duties men owe to their Country," At the appointed hour the edifice was crowded with anxious listeners. The discourse was founded upon the text from Solomon, "There is a time for every purpose and for every work." The sermon burned with patriotic ardor; every sentence and intonation exhibited the speaker's earnestness in what he was saying. Pausing a moment at the close of his discourse, he exclaimed, "The time to preach is past, the time to *fight* has come!" and, suiting the action to the words, he threw from his shoulders the Episcopal robes and stood before his congregation arrayed in military uniform. Drumming for recruits was commenced on the spot, Muhlenburg drew from his pocket a Colonel's commission from the Continental Congress and, it is said, that almost every man of suitable age enlisted forthwith. Nearly three hundred men were enrolled and immediately organized into the Eighth Virginia or German regiment of which Muhlenburg was the Colonel.

After retiring from the bench in 1824, the judge spent the few remaining years of his life in his pleasant home in New Brunswick, retired from all public employment, finding happiness in the bosom of his family surrounded by troops of friends. His time in summer was

nearly equally divided between his library and his large garden, where he found much gratification in assisting his gardener in the care of the trees and shrubs and flowers. The house which he built and the grounds surrounding it, which he laid out, may still be seen, but little changed from what they were twoscore years ago. During the autumn and winter of 1830 he gradually grew weaker till before the close of the year he was unable to leave the house. A week previous to the parting-day he said to Mrs. Dr. How, his only surviving child, "I am declining as gently as any one can, and I do not know that I should wish to be resuscitated. Goodness and mercy have followed me all the days of my life, and I will trust to their close. I trust in the fulness of the promises for my everlasting peace. It is a solemn thing to stand on the verge of the eternal world; but I am calm in the contemplation of death, and, unless anguish seize me, so I hope to remain. There are some parts of the gospel too mysterious for us to understand; it reveals generals not particulars, but such as I could understand I have, particularly for the later years of my life, tried to make the rule of my conduct; but when I compare myself with its purity and kindness, God knows, I feel my want of pardon. There are some doctrines entirely beyond me—that of the Trinity, the atonement, if general or limited; but I believe that God in some way has made an opening, through Christ, for the salvation and happiness of his creatures. Though I speak confidently as to my future peace, I pretend to no special illumination on the subject of another world or any future state, but I trust in the promises of the Gospel. Goodness and mercy have followed me, and to God be the praise. These are the grounds of my hope."

A few days later he remarked to one of his children, "I have no disease; but I am worn out, and shall soon leave you." His words were fulfilled. He died calmly and peacefully and surrounded by those who loved him best, in the parlor of his own house, on the seventh day of January, 1831, and was buried in the graveyard of the First Presbyterian Church, of which he was for many years a Trustee, and where, for half a century, he had listened to the word of God.

His highly-gifted Christian wife sleeps in the same grave, and a daughter and three sons rest by their side, beneath the shade of a cypress, planted by the Chief Justice himself.

I have thus, Mr. President, and Gentlemen of the New Jersey Histo-

rical Society, set before you, with such ability as I possess, a brief biography of one whose,

“ ——— life was gentle, and the elements
So mixed in him, that Nature might stand up
And say to all the world, ‘*This was a man!*’ ”

and I can most truly adopt Lord Erskine’s words in closing the preface to Mr. Fox’s speeches, that I regard it as the most happy circumstance of my life, to have had the opportunity of thus publicly expressing veneration for his memory.

I know not how I can more fittingly conclude this memorial of Andrew Kirkpatrick, than by quoting a passage with which Mr. Bryant closed a discourse on Washington Irving. “If it were becoming,” said the poet, “at this time and in this assembly to address our departed friend as if in his immediate presence, I should say, Farewell, thou who hast entered into the rest prepared from the foundation of the world for serene and gentle spirits like thine. Farewell! Happy in thy life, happy in thy death, and happier in the reward to which that death was the assured passage. The brightness of that enduring fame which thou hast won on earth, is but a shadowy symbol of the glory to which thou art admitted in the world beyond the grave. Thy errand upon earth was an errand of peace, and good-will to men, and thou art now in a region where hatred and strife never enter, and where the harmonious activity of those who inhabit it acknowledges no impulse less noble or less pure than that of love.”

PROCEEDINGS
OF THE
New Jersey Historical Society.

SECOND SERIES.

VOL. II.

1871.

No. 3.

TRENTON, January 19th, 1871.

THE SOCIETY held their twenty-sixth annual meeting in the rooms of the Trenton Board of Trade, JOHN RUTHERFURD, Esq., one of the Vice Presidents, presiding.

The minutes of the meeting in May 1870, were read and approved.

The Corresponding Secretary submitted the correspondence since the last meeting, and laid upon the table letters from the Rev. J. S. B. Hodges, Messrs. L. Spencer Goble, James F. Rusling, Theophilus T. Price, F. C. Lowthorp, Rutherford Stuyvesant, Guy La Tourette, Amos Clark Jr., George S. Mott, John Russell, Monroe Howell, John F. Ward, M. D. and Howard Potter, accepting their election as members; from the Historical Societies of Rhode Island, Georgia, Iowa, Maine and Massachusetts, the New England Historic Genealogical Society, Institutes of Essex, Mass., and Wilmington, Del., acknowledging the receipt of the Society's publications: from Western Reserve Historical Society, making some inquiries relative to Gen'l. Arthur St Clair; from the U. S. Coast Survey Office and Department of the Interior, transmitting books for the Library; from Mr. F. S. Drake, drawing attention to his New Dictionary of American Biography; from Hon. L. Q. C. Elmer, relinquishing his intention of publishing his Reminiscences of the New Jersey Bench and Bar, and transmitting a paper on the Constitution of New Jersey adopted in 1776, and from various other gentlemen on matters connected with the Society's operations.

The Treasurer submitted his annual report of receipts and expenditures duly audited by the Committee on Finance, showing a balance in the treasury of \$490.22 and invested funds amounting to \$1,420.

The Librarian announced the additions to the Library and Cabinet, by donations since the last meeting, and exhibited some of the articles for the inspection of the members present. His report will be found printed on a subsequent page.

Rev. Dr. HALL from the Executive Committee read the following report:
 "The Executive Committee of the Society, referring to the reports which will be submitted from the other committees for the details of its management, would congratulate the members on its progressive usefulness, the more gratifying because the result of no spasmodic effort. Its advancement may not be such as to attract attention from those out of the immediate sphere of its effects, but it is sufficiently manifest to give encouragement to those who are identified with it, and to lead to sanguine expectations that it is destined to be eventually, if it is not now, an institution to which every citizen may look with interest, as essential to the preservation of the memorials of a history in which all may feel a becoming pride. Unendowed, either from public or private sources, all that it has accomplished has been the result of present interest of its members, but it is to be hoped that it may, ere long, be relieved from entire dependence for means to extend its usefulness upon a source that must be, necessarily, liable to fluctuations. There are those in New Jersey, and they not a few, who have been or are now connected with its history, who should feel sufficient interest in an institution intended to perpetuate their acts to place it beyond the peradventures and vicissitudes of the future by providing for it a suitable endowment.

"The Committee have not been called upon to act, under the authority conferred upon them, to coöperate with any Literary Society in the erection of a fire proof building on the Society's lot of ground in Newark, no propositions of any kind having been made to them. The Committee would suggest the propriety, of authorizing the Finance Committee to take steps to have the property made productive, should there be no prospect of its being wanted for the contemplated building within a reasonable period.

"At the May meeting the Society desired the Committee to make arrangements for holding a meeting at Somerville in September. As the time approached, the members in that part of the State, upon whose coöperation the Committee relied, found it impracticable to obtain the

necessary papers for the occasion; and at their request the meeting was postponed.

"A few days after the meeting in May the painful duty devolved upon the Chairman of the Committee of announcing to the members the death of their highly respected President, Richard Stockton Field, after a distressing illness of five weeks. As was then stated, "Mr. Field was one of the original members of the Society, participating in the proceedings at its organization, on the 29th of February, 1845, and throughout the quarter of a century since, has ever manifested a warm interest in its success; at all times extending his active and efficient aid in furthering its objects, being always present at its meetings, and giving his time and attention to the duties of several important committees. Elected one of the Executive Committee, in 1851, he continued to hold the position until 1865, when on the elevation of the Hon. James Parker to the Presidency on the death of the Hon. Joseph C. Hornblower, he was chosen First Vice President, and on the death of Mr. Parker, in 1868, succeeded him in the Presidency. The published "Proceedings," and "Collections" of the Society afford abundant evidence of his high literary abilities, in the contributions from his pen which they contain; among them, particularly noticeable, being his papers upon the lives and characters of his two predecessors. The members consequently cannot but deeply feel the loss of one so intimately connected with the Society, and whose intercourse with them has been uniformly so courteous and agreeable.

"Not only as members of the Society have we reason to lament the death of Mr. Field, but as Jerseymen we cannot but deplore the loss to the State of one who so ably filled every position in which he was called, whether at the Bar or on the Bench, in her Legislative halls, or in the Senate, when furthering her educational interests in peace, or upholding her honor in time of war—ever proving himself one of her most faithful sons."

"His life and public services will be the theme of the address to-day, by one who knew him well, rendering any further allusion thereto unnecessary by your committee.

The Committee on Publications reported the issue and distribution of another number of the "Proceedings." They regretted to have to announce that Judge Elmer had relinquished the intention of furnishing the Society his "Reminiscences of the Bench and Bar of New Jersey," a portion of which was read before it in January and May, 1870. It was intended to make the manuscript of Judge Elmer the subject matter of the

next volume of "Collections" instead of the papers of Ferdinand John Paris, which the Society ordered published in May 1869. Judge Elmer's decision having rendered it impracticable to carry out that intention, the preparation of the Paris papers would be proceeded with as rapidly as possible. Covering a period of great interest during the Provincial Era, it was intended that the papers should be accompanied with such notes and explanatory matter as would make them more readily available to the student of our history, and add to the interest of the general reader.

"A Historical Society," said the committee, "is only half performing its functions if it is satisfied with merely collecting the materials for history. It should consider it equally obligatory to disseminate, to as great an extent as possible, through the agency of the press, a knowledge of what it has collected. While we can point with satisfaction to what we have done in fulfillment of both these obligations, it is to be hoped that there will be no disposition evinced to abate our endeavors to increase the number of our printed pages. It would encourage the committee in their labors to see that the members manifested a greater appreciation of their value by securing copies of the works already published."

The Committee on the Library reported that an arrangement had been made with the Board of Trade of the City of Newark, whereby the meetings of that institution, and its committees, are to be held in one of the rooms of the Society; the objects of the Board of Trade being sufficiently homogeneous with those of the Society to render this coöccupancy mutually agreeable, particularly as the members of both organizations are mostly the same. Additional fixtures and furniture will be introduced into the rooms by the Board, contributing to their attractiveness and comfort. The committee regretted they were not able to report any accessions to the Library Fund; deaths and discontinued subscriptions had operated much against it, and many plans for the improvement and increase of the library would have to be postponed until a more propitious period.

The Committee on Nominations presented a favorable report upon the names of a large number of gentlemen which had been referred to them, who were thereupon elected by ballot, and further nominations were received.

The Chairman then announced the following Standing Committees for the year;

Committee on Publications—William A. Whitehead, Samuel H. Pennington, M. D., John Hall, D.D., William B. Kinney, Joseph N. Tuttle.

Committee on Library—Martin R. Dennis, Peter S. Duryee, John P. Jackson, Edward Sealy, the Treasurer, and the officers residing in Newark.

Committee on Finance—John Rutherford, Peter S. Duryee, Joseph N. Tuttle, David A. Hayes and William B. Mott.

Committee on Nominations—David A. Hayes, Peter S. Duryee, and Ravaud K. Rodgers, D.D.

Committee on Statistics—N. Norris Halsted, F. Wolcott Jackson, Samuel Hamill, D.D., E. M. Shreve and Arthur Ward, M. D.

The Rev. Dr. CAMPFIELD, Mr. JOHNSON, and Col. JOY were appointed a committee to Nominate officers for the ensuing year. The committee subsequently reported the following list which was unanimously adopted ;

OFFICERS FOR 1871.

President—JOHN RUTHERFURD, of Newark.

Vice Presidents—HENRY W. GREEN, of Trenton ; REVAUD K. ROGERS, D.D., of Boundbrook ; SAMUEL M. HAMILL, D.D., of Lawrenceville.

Corresponding Secretary—WM. A. WHITEHEAD, of Newark.

Recording Secretary—DAVID A. HAYES, of Newark.

Treasurer—ROBERT S. SWORDS, of Newark.

Librarian—SAMUEL H. CONGAR, of Newark.

Executive Committee—Samuel H. Pennington, M. D., of Newark ; N. Norris Halsted, of Kearney ; John Hall, D.D., of Trenton ; John Clement, of Haddonfield ; Charles C. Haven, of Trenton ; Wm. B. Kinney, of Englewood ; Peter S. Duryee, of Newark ; Samuel Allison, of Yardville ; Theodore F. Randolph, of Morristown.

The Rev. Mr. HAMILL presented, in behalf of Mr. Henry B. Kennedy, of Bloomsburg, a number of interesting manuscripts referring to operations of the Quartermaster's Department in New Jersey, between 1777, and 1780., and a deed, dated May 7th, 1689, from Walter Clark to Walter Newbury conveying 112½ acres in what is now the township of Greenwich, in Warren County, for an insignificant consideration ; Greenwich being now one of the richest agricultural townships in the State.

Mr. HAYES offered the following preamble and resolution :

WHEREAS. The Society is informed that the flags of the different New Jersey Regiments so gallantly borne during the late war, are liable to injury and decay where they are at present deposited—

Resolved, That the Governor of the State be requested to take such steps as may be necessary to have all the flags and other mementoes of the gallantry of the New Jersey troops that are now, or that may be hereafter placed in the custody of the State Government, removed to the State House and deposited in some suitable receptacle therein, where they may be properly preserved and seen by the people of the State.

After some remarks by Adjutant General STRYKER, and General RUSLING, explanatory of the present condition of the flags, the preamble and resolutions were adopted.

Mr. C. C. HAVEN presented a copy of a letter from Washington, to a Mr. Gird. of Alexandria, the original of which is in the possession of Mr. J. K. Barton, of New Brunswick, referring to the sale of a tract of 2,448 acres of land in Ohio belonging to him, exhibiting Washington's business qualifications in a striking light; and also an original grant from the Commonwealth of Virginia, signed by Patrick Henry as Governor, to John Reed, for land in Monongahela County, July 10, 1786.

Mr. HAVEN also presented for the examination of the members a photographic copy of the picture, published at the time, representing the triumphal arch over the bridge crossing the Assanink under which Washington passed on his way to New York to assume the Presidency in 1789; and directed attention to the impropriety of placing an inscription on a bridge occupying the same position (which had been recently rebuilt) likely to convey the impression that the first bridge was built in 1822. It was probable that the bridge represented in the picture, over which Washington passed, was constructed some years before the revolution.

Mr. DURYEE, in view of the suggestions of the Executive Committee, offered the following resolution:

Resolved, That the propriety of leasing or otherwise occupying the lot of ground belonging to the Society in Newark, in order that it may be rendered productive, be referred to the Finance Committee with power to carry out such plans for the purpose as to them may seem most beneficial to the Society.

After remarks from Messrs. Hayes, Livingston, Hamill and Whitehead, the resolution was adopted.

Some conversation was had respecting the value of local historical sketches, so often lost to the general State historian from their being confined to newspapers of restricted circulation, and it was suggested to the members as likely to prove of essential service, to transmit all such sketches coming under their notice for preservation in the Library of the Society.

ADJUTANT GENERAL STRYKER stated that, the Rosters which he had been preparing, of the officers and men from New Jersey who had served in the several wars of the republic were nearly ready for presentation to the Legislature, but he would still be obliged for any information that might furnish him with additional names, particularly of those serving in the War of the Revolution.

The Society then took a recess for dinner, after which, Anthony Q. Keasbey, Esq., of Newark, read a paper upon "The life and public services of the late Richard Stockton Field, President of the Society."

On motion of Mr. Olyphant, of Princeton, the thanks of the Society were tendered to Mr. Keasbey for his interesting portraiture of Judge Field's career, and a copy requested for publication.

On motion of Col. Swords, the thanks of the Society were tendered to the Board of Trade of the City of Trenton for the use of their rooms, which had been so generously extended to the Society.

The Society then adjourned to meet in Newark on the third Thursday of May next.

Letter received from MR. HENRY R. KENNEDY, accompanying the documents referred to on Page 103.

BLOOMSBURY, Dec. 31st, 1870.

Rev. S. M. HAMILL, D.D.

DEAR SIR :—In response to your request, I send some information relating to the "Deed from Walter Carr to Walter Newbury, and transfer to John Cook, which you kindly agreed to place in the archives of the Historical Society of New Jersey, and I also request that you will place the enclosed papers of revolutionary interest, in the same depository.

John Cook, to whom the Deed was transferred, possessed a large portion of the land contained in the lower or western valleys of the Musconetcong and Pohatcong, in the County of Burlington, West Jersey, (now Warren.)

The farm described in "the Deed," (and which I now possess as a lineal descendent of John Cook,) is a part of eleven hundred acres lying between Silver Hill, on the Warren side of the Musconetcong Creek, and the northern side of the Pohatcong Creek, near to the Old Church of

Greenwich. At this place is the Flouring Mill of Col. West, (mentioned in one of the enclosed papers,) subsequently transferred to Robert Kennedy, and whence the American army obtained much flour and feed. The old house attached to this property (and which yet remains,) was the homestead of the notorious Sam. Severns; who was hanged as a traitor. After the purchase by my grandfather, the refugees and tories attacked the old house, and in one of their shootings killed a dog at my grandmother's feet, but the defense was so determined as to compel their retreat.

The lower portion of the tract adjoins the celebrated "Chelsea Forge" property, whence Washington procured iron for the use of the army. Near to this place one of the farms contained in "the tract," is the site of David Brainard's Church, where he used to preach to the Indians.

"The Farm" whereon I now live, was the homestead of Captain Arthur Henery, (a great grandson of John Cook) and mentioned in one of the inclosed papers. Within view of this place is the famous "Vale of the Straw." Where Captain Henery and Robert Kennedy's Team Brigade used to procure straw and provender in their passage to and from "Philadelphia, Chelsea Forge, the White House, and Morristown." Near this line of road Major Kennedy, (a brother of Robert) was killed, whilst fighting the tory Doanes, of Tinnicum.

The "Straw Tavern" used to be the residence of Benjamin Fish, Esq. of Trenton, N. J. "St. James' Church," at this place, used to be one of the preaching posts of Dominic Hecht.

Yours, truly,

HENRY R. KENNEDY.

P. S. The Cemetery of the Old Church of Greenwich, contains the graves of Captain McCullough, one of Washington's Braves at the Battle of Princeton, and General Maxwell, the hero of the Battle of the Brandywine.

K.

* * Accompanying Mr. Kennedy's letter were a Deed dated May 7th, 1689, from Walter Clark to Walter Newbury for 112 $\frac{1}{2}$ acres, "within the Towne bounds of Burlington;" and several other documents relating to the Quartermaster's operations in 1777, 1778 and 1780, being orders for forage, &c.

Donations.

ANNOUNCED JANUARY 19, 1871.

From the Massachusetts Historical Society—History of East Boston, by W. H. Sumner.

Harvard Memorial Biographies—2 Vol.,

Proceedings Massachusetts Historical Society, in memory of Edward Everett, and W. H. Prescott.

Oration before the City Authorities of Boston, July 4, 1870, by Wm. Everett, Tribute of the Massachusetts Historical Society, to Josiah Quincy, and to George Livermore.

Memoir of Joseph Story, L.L.D.

Catalogue of Massachusetts Historical Society's Library 1811 By-Laws of Massachusetts Historical Society, Mr. Adams discourse before the Society—Speech of Hon Josiah Quincy, Feb. 1858.

Proceedings of the Annual Meeting, and addresses of Hon. R. C. Winthrop, and Edward Everett, 1857.

Address on the Life and Character of Thomas Sherwin, by R. C. Waterston, Feb. 16, 1870.

The Life of Mr. Thomas Dudley, (Cotton Mather's.)

Vocabulary of the Massachusetts (or Natick) Indian Language.

History of Baker and Ingraham, Rebellion in Virginia in 1675-6.

Reports of Births, Marriages and Deaths, in City of Boston, 1869.

Reports 19, 20, and 21, of Executive Committee on Children of the Destitute in Boston—and of the Board of Managers of the Temporary Home for the Destitute General Laws and Resolves passed by the Legislature of Massachusetts, Session of 1870.

Dr. Frothingham's Address before the Alumni Theological School, also Sermon on resigning his pastoral charge, March 10, 1850.

Report of the Exchange of Prisoners during the Revolutionary War.

Report on the Public School and the System of Public Instruction, and Rules of the School Committee.

Letters of John Andrews Esq., of Boston, 1772-76.

Catalogue of Groton Public Library.

Groton (Massachusetts) School Committee, Annual Reports, 1868-9 and 1869-70.

Catalogue of Unitarian S. School Library, Groton, 1869.

Constitution and By-Laws of the Irish Benevolent Association, Groton.

Report of Directors of the Massachusetts Infant Asylum, 1869 and 1870.

Directory of the Boston Provident Association, 1867-68-70 and 71.

Report (72d annual) of the Boston Dispensary, 1868.

Annual Report (17th,) of the American Congregational Association, 1870.

Annual Report of the American Colonization Society, Jan. 21, 1851.

Reports of the 4th and 10th Anniversaries of the Needlewoman's Friend Society.

Regulations of the School Committee of Dorchester, 1866.

Defence of Mr. Gould by the Scientific Council of the Dudley observatory.

From the Connecticut Historical Society—Collections of the Society, Vol. II.

From the Iowa Historical Society—Annals of Iowa, April and July, 1870.

From the Wilmington, Del. Institute—Twelfth Annual Report.

From the American Philosophical Society—Proceedings of the Society, Vol. XI, Nos. 83 and 84, and Transactions of the Society, at Philadelphia, Vol. XIV, New Series pt. 2.

From the American Antiquarian Society—Proceedings of the Society at Boston, April 27, 1870, and at the Annual Meeting at Worcester, Oct. 1, 1870.

From the Minnesota Historical Society—Collections of the Society Vol. III. Part 1.

From the New England Historic Genealogical Society—Register and Journal, Nos. 3 and 4, of Vol. XXIV, and No. 1, Vol. XXV. Anniversary Quarter Century Discourse.

From the Smithsonian Institution—Smithsonian Contributions to knowledge Vol. 16, Smithsonian Miscellaneous Collections, Vol. VIII and IX.

From the Essex Institute—Bulletin of the Institute, Nos. 5 and 6 Vol. II.

From the Department of the Interior—Documents of the Fortieth Congress, Third Session, 28 Volumes.

From the Quartermaster General U. S.—The Roll of Honor No. 25.

From the Superintendent of Coast Survey—Report for 1867, and Map of Alaska and adjoining Territory; Tukon River, Ranges of Mountains, Shores of Norton's Sound, &c. 1869.

From N. Y. State Librarian—52d Annual Report of Trustees of the Library.

From Yale College Librarian—Catalogue of the Officers and Students in Yale College, 1870-71.

From Prof. Cameron—Catalogue of the College of New Jersey, 1869.

From the Authors—Historic and Antiquarian Scenes in Brooklyn and Vicinity. By T. W. Field.

A Biographical Sketch of Abraham Lincoln. A Tribute to the Memory of Hon. Wm. Willis, L.L.D., and a Necrological notice of Hon. Richard S. Field L.L.D. By Charles H. Hart.

Memorials of the Cranes of Chilton, (England,) also Ancestry of Mary Oliver, who lived 1640-1698, and was wife of Samuel Appleton of Ipswich. By Wm. S. Appleton.

Memorial of Chief Justice Kirkpatrick. By J. G. Wilson.

From Frederic J. Dreer—Centennial Celebration by the Annin Family at the Old Stone House in Somerset County, N. J. Aug. 15, 1866.

From Asher Taylor—Annual Report of the Commissioners of Emigration of the State of New York, Dec. 31, 1869.

The First Golden Anniversary of the National Guard, N. Y. May 18, 1869.

From Rev. President Tuttle—Logan's History of Indianapolis, from 1818, The City of Indianapolis, its advantages as a manufacturing and trading point. Geological Survey of Indiana, by E. T. Cox, 1869. Thirty-Third Anniversary of the Monroe Presbytery, held in Adrian, Sept. 4, 1867.

From Hon. Joseph P. Bradley—The Petitions and Memorials of the Proprietors of East and West Jersey to the Legislature, with a Map of the State and the Country adjacent, and Appendix, January 1775. A collection of Maps. Newark, 1834, 1847, 1850 and 1858. New Jersey 1828 and 1850. Essex County, 1850. Somerset, 1850. Middlesex, 1850. Mercer, Hunterdon, 1852. Sussex, 1860. Union, 1862. Burlington, 1849. New York, 1849. New York Bay and Harbor, 1834. Jersey City, Hoboken, and vicinity, 1841. United States, 1846. Minutes (M. S.) of Township Committee in 1806, 1807, 1808.

From James G. Wilson—Catalogue of the Library of Fitz Greene Halleck. Dedication of the Monument erected in Honor of Fitz Greene Halleck, at Guilford, Conn.

From Rev. A. B. King—Six original letters, directed to Dr. Robert Halsted, Sugar House, N. Y. between March 31 and May 15, 1871, by M. Halsted.

From J. R. Burnet—Annals of the Deaf and Dumb, Vol. 14, 1870.

From Jas. H. Tichenor—An Indian Axe, found on the Tichenor Farm, West Milford, Passaic Co. N. J.

From Charles Badgley—A piece of the Coat of Capt. Wm. Leslie, of the 17th British Regiment, who fell at the Battle of Princeton Jan. 3, 1777.

From Robert Clarke—Pioneer Life in Kentucky, a Series of Reminiscent Letters from Daniel Drake M.D. of Cincinnati to his Children.

An Account of the Remarkable occurrences in the Life and Travels of Col. James Smith, during his Captivity with the Indians from 1755 to 1759.

History of Athens County, Ohio, and incidentally of the Ohio Land Company, and the First Settlement of the State at Marietta, with Personal and Biographical Sketches, &c. By Charles M. Walker.

Pioneer Biography, Sketches of the Lives of some of the Early Settlers of Butler County, Ohio. By James McBride, Vol. 1. Col. George Clarke, Sketch of his Campaign in the Illinois, in 1778-9, with an introduction by Hon. Henry Pritle of Louisville, and an Appendix.

From Henry N. Beach—Alsop's Character of the Province of Maryland, 1666-71

The First Church Orange, N. J. One Hundred and Fiftieth Anniversary, Nov. 24 and 25 1869. Memorial.

From Rev. G. Hale, D.D.—The Emporium, (newspaper) May 27, 1826.

From Joel Munsell—Manual of the Albany Institute, 1870. Pedigrees of the Clark and Ross Families. By Clifford Stanley Sims, 1870.

From F. J. Luudy—Circular, Invitation to a Dinner by Citizens of Morristown, on the occasion of the Downfall of Bonaparte, June 9, 1814, and a 25 cent Note Stamp, Aug 13, 1799, for New Jersey.

From a Member—The New York Genealogical and Biographical Record, Devoted to the interests of Amer. Gen. & Biography, Vol. No. 1, 2, 3.

From J. Wingate Thornton—Report by the State Commission on Cheap Railway Transmission between Boston and Lake Ontario, 1870.

From Mrs. Sarah Reeves—The Legend of Sleepy Hollow, Illustrated by Darley, 1849.

From W. A. Whitehead—Map of the Town of Parkersburg, 1855.

The Art of Manual Defense or System of Boxing.

From Col. R. S. Swords—Proceedings of the Second Annual Meeting of the National Board of Trade. Richmond, Dec. '69. Charter and By-Laws of the Cape Cod Ship Canal Co. with List of Officers, Map.

From Miss Caroline Spencer—A Revolutionary Canteen, lettered U. States, A. V. D. H. 1777, June the 8, 1777.

MEMOIR

OF THE

HON. RICHARD S. FIELD.

LATE PRESIDENT OF THE NEW JERSEY HISTORICAL SOCIETY.

EY

ANTHONY Q. KEASBEY.

READ BEFORE THE SOCIETY,

Jan. 19th, 1871.

MEMOIR.

This Society was organized at Trenton, on the twenty-seventh of February, 1845. Among its founders were Joseph C. Hornblower, James Parker and Richard S. Field. They were successively elected Presidents of the Society, and continued to hold that office during their respective lives. The first from 1845 to 1864, the second from 1865 to 1868, and the last from 1869 to 1870. These three men, so strikingly different in their characters and their careers, will remain marked figures in the history of New Jersey. The influence of their labors will reach far into the future of their native State. It is one of the purposes of this Society to gather up the details of the labors of such men, and to preserve for perpetual memory the features of their lives.

Happily in the case of the first two Presidents, this duty devolved upon the last. Judge Field's papers, read before the Society, on the lives and characters of Chief Justice Hornblower and Mr. Parker, are models of faithful, eloquent, and discriminating eulogy. It is now my privilege, accorded to me from my close relations with him in the latter years of his life, to endeavor to portray his character, and to recount his varied labors. I regret that even with his examples before me, and with a subject as full of interest as his, I must fall so far below the pattern he has given me.

RICHARD STOCKTON FIELD was a thorough Jerseyman, by ancient lineage, in all his sympathies and pursuits, and in all the associations of his life.

He was born on the 31st day of December, 1803, at Whitehills, in the County of Burlington. He was the son of Robert Field and Abby, the youngest daughter of Richard and Annis Stockton.

I find among his paper a sketch of the Field family. It is in his own hand-writing, and seems to be a copy of a letter written to some inquirer as to the history of the family. It is as follows :

"John Field was the first of the name who settled in New Jersey. He was the grandson of Robert Field, who in 1644, came from England to the Colony of Massachusetts, and the year after removed to Flushing, Long Island. His descent can be traced back in a direct line to John

Field, a distinguished astronomer, who died in the reign of Philip and Mary, and who was the first to introduce the Copernican system of Astronomy into England. It was in recognition of the great service which he had thus rendered to the cause of science, that he received a patent in 1558, the 5th and 6th of Philip and Mary, authorizing him to bear a crest over his *family arms*, "a red right arm issuing from the clouds and supporting a golden sphere," thereby intimating the splendor of the Copernican discovery. I have in my possession a seal with three sides to it, which was no doubt brought to this country by Robert Field, and which has been handed down from one generation to another. On one side is the family coat of arms, "a chevron between three wheat sheaves" on the other side is the *crest* before referred to, an arm supporting a globe, and on the other side "R. F." the initials of the name of *Robert Field*. I inclose an engraving of the coat of arms surmounted by the crest.

"The descendents of the family in New Jersey, as far as I can trace them are,

"1. Robert Field, who was born January 6, 1694, and who married Mary, daughter of Samuel and Susanna Taylor.

"2. Robert Field, son of Robert and Mary Field, who was born May 9, 1723, and died January 29, 1775, and who married Mary, daughter of Oswald and Lydia Peale.

"3. Robert Field, son of Robert and Mary Field, who was born April 5, 1775 and died April 24, 1810. He lived at Whitehill, in the County of Burlington, a plantation which had been in the family probably from the first settlement in New Jersey. He married Abby, daughter of Richard and Annis Stockton. He was graduated at Princeton College in 1793, among his classmates were the Right Rev. Bishop Hobart and Joshua M. Wallace. He died at the early age of thirty-five, leaving a widow who has since died, and five children, three of whom are still living, namely, Mary F. Dunbar, Richard Stockton Field and Hannah B. Olmsted."

His maternal grandfather Richard Stockton, was one of the signers of the Declaration of Independence, and one of the last Judges of the Supreme Provincial Court of New Jersey. He was born at Princeton on the first day of October, 1730 and died on the twenty eighth of February, 1781. It would be superfluous to dwell upon the incidents of his career which are so well known even to this generation, and which have been so carefully preserved in the paper on the Provincial Courts of New Jersey, read by his grandson, and published among the Collections of this Society.

During the next year after the death of Robert Field, his family removed to Princeton where the relatives of Mrs. Field resided. He entered the College of New Jersey in 1817, and was graduated in 1821, before he had reached the age of eighteen. I learn from one of the companions of his college days, that he was very studious and fond of reading, and probably laid the foundation at that early age for his wide knowledge of English and Classic literature. He took the second honor in his class and was thought, as the gentleman to whom I have alluded expresses it, to possess a fine and masculine understanding. He commenced the study of the law in the office of his maternal uncle Richard Stockton, with whom he seems to have been a special favorite, and for whom he always entertained and expressed the most unbounded admiration. Mr. Samuel J. Bayard, his early companion, whom I have alluded to, and also a student in Mr. Stockton's office, says "each winter while studying, I spent in Georgia and when at home studied in my room, but as we were examined together by Mr. Stockton, I was aware of his rapid mastery of the most abstruse works on law such as *Fearne on Remainders*, and *Coke upon Littleton*. Soon after his admission to the bar he took up his residence in Salem. I think he told me that after a few years practice, he paid a visit to Mississippi where he had a brother or sister living, but did not remain although strongly solicited to do so. In 1826 his cousin Commodore Stockton wished to draw him into politics, but he wisely resisted the temptation. He once told me that he felicitated himself in his adhesion to this resolution."

He was led to go to Salem by the advice of his uncle Lucius Horatio Stockton, who was in the habit of attending the courts in that county. Aaron Ogden Dayton, one of the leading lawyers of that county had recently removed to New York, and his place was filled by Mr. Field, and also, I think, by Mr. Aaron S. Pennington who however only remained there a short time. Mr. Field entered with his usual zeal and ardor upon the practice of the law in Salem. His competitors were Alphonso L. Eakin, William N. Jeffers, Francis L. Macculloch, and Richard P. Thompson, afterwards Attorney General. Lawyers were gladiators in those days, in the legal and political arenas, especially in a place so secluded as Salem then was. Their contests over a will or some other matter of local interest, were apt to divide the whole community into rival factions led by their respective legal champions. And they sometimes assumed a character of personal bitterness, which is now happily almost unknown.

There are traditions of controversies almost amounting to quarrels

between Mr. Field and William N. Jeffers, which are now of no interest except perhaps as being one of the causes which led to the change of his residence.

He married in 1831 Mary Ritchie, the niece of Judge Joseph Kille, a prominent citizen of Salem. She died in Princeton September 8th, 1852, after a union of twenty-one years. I have heard him remark, that he then intended to reside permanently in Salem, and had sent the furniture for his house in a sloop from Philadelphia, which was ice-bound in the river through the winter of 1831. While waiting for it he spent the winter in Princeton, which led to a change of plans, and he removed to Princeton in the spring of 1832 where he resided the rest of his life.

The part of Princeton where he lived was then in the County of Middlesex, and in 1833, he was elected to the General Assembly. He was again elected in 1834.

In 1837 the question of erecting the new County of Mercer out of parts of Hunterdon, Burlington and Middlesex, was a matter of exciting controversy, and he was again elected to the assembly as an advocate of the law creating Mercer County, which was passed February 22d, 1838.

One of the most important measures passed at this session of the Legislature was the law creating the Circuit Courts of the several counties of the state, and adding two Judges to the Supreme Court. William L. Dayton, who was a member of the same Legislature, was appointed one of the new Judges, and John Moore White, then Attorney General received the other appointment. Mr. Field was appointed Attorney General in the place of Mr. White. These three appointments were made February 28, 1838.

Thus at the early age of thirty-five, Mr. Field had attained the high position of the first law officer of the state. At that time it was customary for the Attorney General to prosecute the pleas in such counties throughout the state as he saw proper, and he entered upon these duties with characteristic zeal. He regularly attended the courts of Essex and other counties, and gained high distinction as an advocate in criminal cases. These duties however proved burdensome and distasteful to him, and he resigned the office in 1841, and devoted himself to the regular practice of his profession in Princeton. His relatives the Stockton family were then largely interested in the affairs of the Joint Companies, and he was engaged in responsible and lucrative professional duties arising out of that relation.

Up to 1844, the government of the state had been administered under the provincial Constitution passed prior to the Declaration of Indepen-

dence, July 4th, 1776, and although that document was one of the most remarkable illustrations of the wisdom and patriotism of our forefathers, yet the necessity of changes in the fundamental law adapted to the altered condition of the state had long been felt. Many efforts had been made to bring about a modification.

At length on the 23d of February, 1844, a law was passed providing for the election of delegates, to prepare a constitution, and for submitting the same to the people.

The number of delegates was to be equal to the number of members of the General Assembly from each county. Mercer County was therefore entitled to three, among whom Mr. Field was elected, his associates from that county being Henry W. Green and John R. Thompson.

This body assembled in Trenton on the 14th day of May, 1844, and was one of vast importance and abiding interest, as a body charged with framing the fundamental law of a state must always be. After the lapse of more than a quarter of a century, during which we have lived under the influence of their labors with singular harmony and prosperity, it is interesting to recall some of the names of those who have been so familiar to us during the last generation and who are so rapidly passing away. Among them are Governors Isaac H. Williamson, Peter D. Vroom, Charles C. Stratton, and George F. Fort, Chancellors Oliver S. Halsted and Henry W. Green; Judges of the Court of Errors and Appeals, Joshua Brick, Jonathan I. Spencer, Joshua Swain, Moses Wills, William Nelson Wood, Ferdinand S. Schenck, Robert S. Kennedy;—Judges of the Supreme Court, Daniel Elmer, Joseph C. Hornblower, Henry W. Green, Joseph F. Randolph, Elias B. D. Ogden, George H. Brown, and Martin Ryerson; Senators, Mahlon Dickerson, John C. Ten Eyck, John R. Thomson and Alexander G. Cattell;—Members of the House of Representatives, Silas Condit, Peter D. Vroom, James Parker, George H. Brown, Charles C. Stratton and Joseph E. Edsall;—Attorneys General Richard P. Thompson, Abraham Browning and Richard S. Field, besides others of high destination in other than political fields, such as Elias Van Arsdale, Robert Gilchrist, Peter I. Clark, Alexander Wurts, Ephraim Marsh, Phineas B. Kennedy and David Naar.

I have named here thirty-five individuals, repeating some who have held more than one office. The whole convention contained but fifty-eight only twenty-three besides those I have mentioned.

This is a remarkable record. If worth and ability are to be measured in any degree by public recognition and important public trusts, then New Jersey succeeded in committing this high duty to her best and

ablest hands. It may be added that this valuable result was reached through a general agreement to avoid any party strife in the selection, which was adhered to, with a single exception. We may congratulate ourselves at this day that a work so important was done under circumstances so favorable.

Mr. Field always looked back with satisfaction on his share of this great work. The convention voted down a resolution offered on the third day of the session to employ a reporter to make an accurate report of the proceedings and debates, so that we have no such record except from the newspapers of the day.

Immediately upon the election of officers Mr. Field offered the following preamble and resolution which were adopted.

WHEREAS the delegates composing the convention have assembled in pursuance of law to prepare a constitution for the government of the State of New Jersey; and whereas upon the issue of our deliberations may depend, under Providence, the welfare and happiness of this and future generations;—and whereas in view of the solemn and responsible duties devolved upon us, it is meet that we should acknowledge our dependence upon God, and invoke his blessing upon our labors;—therefore,

Resolved, That the sittings of this convention be opened every morning with prayer, and that the Clergymen of the City of Trenton and its vicinity be invited to officiate upon such occasions.

I cite this in order to show how deeply he felt the important nature of this duty, as well as to furnish an example, of the felicitous mode of expression for which he was so remarkable.

In distributing the parts of the constitution among different committees, he was placed upon that relating to the appointing power.

I shall hereafter refer at length to his earnest efforts before and after this date, in behalf of public education. I find that on the twelfth of June he offered a resolution in the convention that the subject of common schools be referred to a select committee of five, which was adopted. The committee through him as its chairman reported on the fourteenth of June, the provision which is now found in Section 7 of Article IV of the Constitution providing for the secure investment and preservation of the school fund, and restraining the Legislature from borrowing, appropriating, or using the fund for any other purpose under any pretence whatsoever. And on the eighteenth of June, he was one of the small number of eight members, to vote in favor of an article proposed by Mr. Peter I. Clark, that “no person born after the adoption of the Constitution shall be entitled to vote under the same, unless he can read the English language, except in cases of physical disability.”

The constitution framed by this Convention under such favorable auspices, was ratified by the people and continues unchanged. Only

thirty-five hundred and twenty-six votes were cast against, out of nearly twenty-four thousand. In 1852 an association was formed composed of the surviving members of the Convention of 1844, and in February, 1853, its first meeting was held in Trenton, and the first annual address was delivered by Mr. Field. His subject was one which he had studied with the deepest interest—the Formation of the Constitution of the United States. I have before me in manuscript, six lectures upon this and kindred topics, delivered by him in 1847 in the College of New Jersey. These, with the published address before the Convention Association, would form a valuable contribution to our knowledge of the history and principles of American Constitutional Law. It is to be regretted that the design which I know he cherished at one time, of revising and publishing them in a volume, was never fulfilled.

He did not hold any other political office until his appointment as United States Senator in 1862, a period of nearly twenty years. But this was not the least active and useful portion of his life. He was actively engaged in the duties of his profession, but more, perhaps, than any other member of our bar, he gave his time to literary pursuits and to public labors outside of the ordinary path of the lawyer. Prominent among these labors, were his efforts in connection with the New Jersey Historical Society, and with the work of public education in this State.

On the 27th of February, 1845, as I have stated, he attended the first meeting of this Society, and was chosen one of the members of its Executive Committee.

The Rev. Dr. Miller, of Princeton, in a letter read at this meeting, alludes to the fact that he had several months before been in consultation with Mr. Field, as to the formation of such a Society, and it will be acknowledged that few men who have been connected with it, have been more faithful to its interests, or contributed more copiously to its purposes. He was a member of the Executive Committee in 1845 and 1846, and again in 1851 to 1859, when he was elected one of the Vice Presidents. He continued to hold this position until 1869, when he was elected President, to succeed the Hon. James Parker. An examination of the Proceedings of the Society will show how earnestly he labored to promote the objects of the Society, under circumstances of much discouragement.

One of his most important labors in this connection was his paper on The Provincial Courts of New Jersey, read in 1848, and published as the third volume of the Collections of this Society. It is a very inter-

esting and valuable history of the Provincial Courts of New Jersey, with sketches of the Colonial judges and lawyers, forming a volume of over three hundred pages. It exhibits the careful research and the felicity of expression which always distinguished him. In September, 1851, he read an interesting paper on the Trial of Rev. William Tennent, for perjury, in 1742. In 1852 he contributed the leading article in the Princeton Review, on "The Publications of the New Jersey Historical Society," with a special notice of "The Papers of Governor Lewis Morris." At the annual meeting in 1865, he delivered an address on the Life and Character of Chief-Justice Hornblower, the first President of the Society, and again in 1869, he performed a like duty as to his immediate predecessor, Mr. James Parker.

Besides these, his most important contributions, he was always zealous in the service of the Society, and lost no opportunity of promoting its efficiency, and adding to the materials which it is its object to preserve from oblivion. And these were to him labors of love. He enjoyed investigation. He was proud of his native State, and was eager to trace the germs of her institutions, and the origin of her laws and customs. Confident of her future, he was anxious to gather up and preserve all the materials of her early history. He was not an antiquary. No man looked forward more eagerly or hopefully. He was emphatically a man of action, for the present and the future. He cherished the firmest confidence in the growth and prosperity of his State and country, and was keenly interested in all plans and efforts to advance them. But like a wise builder, he looked carefully to the foundation upon which the State was to be built, that he might better know how to do his part in making it symmetrical and permanent. He always had a motive for his labors, and this was the true reason of his great interest in the work of the Historical Society. He surveyed the State as a whole, in its individual life, and in its relations to our complex federal system. He loved to scrutinize its beginnings and to trace its growth, knowing that its future must arise out of its past, and be moulded in a great degree, according to the impress of its origin and early history. It will be fortunate for this Society and for the State, if we shall still find men of cultivation and ability like the first three Presidents, who shall be willing to look backward as well as forward; to learn the precious lessons and to gather up the fleeting materials of the past, as well as to strive in the eager pursuits of our present life. In the keen strife for personal advantage, we are too apt to neglect those duties which have no promise of profit or fame. In our urgent race for the rewards set before us, we forget to

leave our landmarks. We regard such labors as those which this Society solicits of the citizen, as thankless tasks—fit only for mousing antiquaries, and unworthy of men who strive to bear a part in the duties and labors of the present. We are almost inclined to sneer at the Dryasdusts who stop to gather up the wrecks and lumber that we leave behind, and we impatiently bid them let the dead past bury its dead. We do not appreciate how eagerly some future age will seek for the form and features of this, and how surely the next age will be moulded by this, as we have been by those that have already passed. Emerson says: “And him I reckon the most learned scholar, not who can unearth for me the buried dynasties of Sesostriis and Ptolemy, the Sothiac era, the Olympiads and the consulships, but who can unfold the theory of this particular Wednesday.” There is a wise thought in this, but surely he is best able to unfold the theory, and to know the true meaning and value of the present, who is most familiar with the features of the past. It may be said of national as of individual life,—

“Now! It is gone, our hours do travel post,
Each with its thought or deed, its why or how;
But know, each passing hour gives up its ghost,
To dwell within thee, an eternal now.”

I make these observations, with much sense of self-reproach at my own neglect, because I have so often heard Mr. Field enforce the duty they allude to, and know how intelligently and faithfully he endeavored to discharge it.

And this brings me naturally to another field of his labors. I refer to his lifelong efforts in the cause of popular education in New Jersey.

I wish it was in my power by a careful research to trace in minute detail the beginning and course of these labors. But prior to the establishment of the Normal School, they are preserved only in the columns of the newspapers of the State and in other forms equally inaccessible. But it is well known that from the earliest period of his active life he was devoted to the cause of popular education. He threw himself into this cause with an almost passionate zeal—not as a hobby, or a diversion—not as a means to other ends—not for popularity or personal gain, for he labored in it when the cause was by no means a popular one. He did it with a high and far reaching purpose. He understood more fully than any man I ever knew, the true foundation of a State. He was deeply versed in political history and economy. He was fully imbued with the spirit of free government; and with the broad comprehension that was characteristic of his mind, he knew that the true safety of the State—the only guarantee for the success of popular government, was the education of the people. He had a high regard for our Constitution and a

deep interest in the course of Legislation, but he felt that the wisest constitutional safeguards, and the best laws, must be powerless and transitory, if the people were left in ignorance. And he knew and urged, long before it was made a part of our State system, that in order to educate the people we must teach the teachers, and hence his faithful devotion to the interests of the State Normal School, which I regard as one of his best claims to the gratitude of the people of New Jersey.

The Act to establish the State Normal School was passed February 9th, 1855. Mr. Field had been the earnest advocate of such an Act for years. He was one of the Board of Trustees and was at once elected President of the Board, and continued to act in that capacity until the close of his life. I have before me the Annual Reports of the Board from 1855 to 1870, comprising, with the documents connected with them, two thick volumes. All of these reports were written by Mr. Field—the last bearing date December 2, 1869. They form an enduring monument to his fame. The results of the labors they record will reach far into the future, and will be felt in remote generations, when all monuments by which we strive to perpetuate the memory of our worthiest, in brass or marble, shall have crumbled.

Professor William F. Phelps, now principal of the Minnesota State Normal School, was chosen to that position in this State on the establishment of the school in 1855, and held it until March 1864. To his great experience and ability the institution is indebted for much of its efficiency and success. Knowing the intimate relations he sustained with Judge Field, during that period, I took occasion to request Professor Phelps to give me any information in his power, as to his connection with the school during the first ten years. He has kindly furnished me with a sketch so full of interest, that I need no excuse for reproducing it almost entire. He says:

"I am able to say in the first place that to Judge Field more than to any other citizen, or to any number of citizens, are the people of New Jersey indebted for the existence and success of the Normal School of that State. It was established as you may know under peculiar circumstances. At the time the act was passed there was no responsible political majority in the Legislature, as parties were considerably disintegrated. All were surprised at the passage of the Act establishing the Normal School. Immediately thereafter a combination was commenced to secure its rejection through a reconsideration. This movement was defeated by the adroit management of some of its friends who secured the executive signature before the combination was complete. This secured for the

school one year's lease of life. In the meantime the Trustees were appointed, and Judge Field was elected President of the Board. To the duty of supervising the organization of the school and the erection of a suitable building for its accomodation, he gave himself with unsparing devotion. He felt that everything depended upon the successful working of the school, and upon *committing* the State to its support prior to the meeting of the Legislature of the following year 1856. My acquaintance with him began in August, 1856, immediately after my appointment as Principal. To his intelligent, appreciative and hearty support of all my plans of organization and administration was due the success and popularity of the school, which has since been the source of such unmeasured blessings to New Jersey. That school is the corner stone of the Common School system of the State, and to its benign influence more than to any other cause are the people indebted for the vast improvement which has been effected in the last fifteen years in that direction.

"When the late Paul Farnum of Beverly proposed the munificent bequest which gave to the State the building bearing his name, with an endowment of \$20,000 on condition that the State should adopt the school and appropriate annually a sum equal to the interest of the endowment, it was Judge Field's thorough appreciation of the proposition and his tact and good management, that ultimately secured its acceptance. He was not only President of Board, but Chairman of the Executive Committee, and I have known him repeatedly to go from Princeton to Trenton to attend a called meeting of the Committe and be the only member present. His sacrifices for the Normal School were incessant in the days of its weakness. If its finances were embarrassed he was always ready to make advances. If it was threatened with hostile legislation he was on hand in season and out of season to defend and save it. If its instructors were disheartened or discouraged he was frequently by their side with words of cheer and acts of kindness.

"Among his benefactions to the school was a complete collection of the flora of the State, selected and catalogued by the distinguished botanist Dr. Torrey, at a cost of over \$2,500. He took great interest in the ornamentation of the grounds, and in every detail which could add to the attractiveness and efficiency of the school.

"Judge Field's warm sympathy for this State Institution grew out of his great devotion to the common schools which he ever regarded as the bulwark of our American liberty. With him the Normal School was an indispensable means to an important end. Without good teachers the Common Schools must fail. Without Normal Schools a supply of com-

petents teachers was impossible. He was one of the few in the State who labored for years to secure the establishment of such an Institution as was finally brought into existence in 1855.

"I regret that space will not permit me to write more at length of his relation to the cause of public education in the State he loved so well. But I will give one incident, now a matter of history, which illustrates at once his devotion and at the same time his tact and skill in controversy. At the last annual convention of the Episcopal Church in New Jersey, over which Bishop Doane presided, held in Newark, a strong effort was made in behalf of Parochial Schools. The object was I think to commit the church to the exclusive support of Parochial Schools in opposition to the Common Schools. The movement was the result of quite a strong combination, and Judge Field was advised of it beforehand. I do not know whether any effort was made to draw him into the combination. During the session of the Convention, the resolutions were proposed and several strong speeches were made in their support. Judge Field remained a silent listener until nearly the close of the discussion, as it seemed probable that the movement would succeed, when he arose and after calmly expressing his dissent from the views which had been advanced, read from a pamphlet one of the most masterly arguments, in behalf of the Common Schools and their claims for support upon the whole people, ever made by any man. This pamphlet proved to be an appeal to the people of New Jersey by Bishop Doane himself, made in the year 1838 in behalf of a convention which met in February of that year to arouse public attention to the condition of education in the State. Judge Field then took his seat, the Bishop arose and declared that he stood by every word of that address, and the movement fell to the ground. It has, I believe, never since been renewed. This identical pamphlet with the paragraphs quoted by our friend and marked by his own hand, I send you herewith, as both of the chief actors in this scene have passed away and as this splendid address is out of print and almost forgotten, it seems to me very proper that it should become the property of the Historical Society as the repository of all that relates to the past of your noble State; and as a *souvenir* of one of its most distinguished citizens, and an earnest active member of the Society, it must also possess a peculiar value."

The pamphlet alluded to by Professor Phelps, I have deposited in the Library of this Society.

Engaged in these and kindred labors, Mr. Field occupied no political position until 1862. He was however constantly active in his professional

and literary pursuits, and took a lively interest in political affairs. He devoted much time to the adornment of his beautiful grounds and to horticulture in all its forms. He was for some years a Professor in the Law School established in connection with the College of New Jersey in 1846, and in 1859 he received the degree of Doctor of Laws from that Institution. Among his published addresses was one delivered in 1855, before the Edgehill Literary Society on the Power of Habit.

From the organization of the Republican Party he was one of its most zealous supporters, and on the breaking out of the rebellion in 1861, he devoted himself to the support of the government in the struggle, with all the energy of his nature, and with the most unbounded confidence in the result. On the 4th of July, 1861, he delivered an Oration in Princeton, taking for his subject "The Constitution not a compact between sovereign States." This was familiar ground for him, and he discussed the subject with all his usual ability, and with the lofty enthusiasm inspired by the conflict which was then but just begun. His temper in this conflict, and his firm faith in the success of the national cause, are strikingly shown in some of the last words of this speech. He said :

"We have no unkind feelings towards the people of the south,—up to the very last, our heart's prayer has been that they would see before it was forever too late, the fatal error of their way, and that they would allow us to return to the scabbard, with its blade unstained by their blood, the sword which we have so reluctantly drawn.

"But although slow to take up arms—although even when prepared to strike, hesitating to do so, that the utmost time might be given for repentance, let not our position be misunderstood. To those whom we cannot but regard as traitors, with arms in their hands, no concessions are to be made, no terms proposed. Unconditional submission to the constitution and laws must be absolutely insisted upon. This is the people's stern resolve—their inflexible purpose. Until it is accomplished never will they lay down their arms, never, never. A disastrous war—defeat, followed by a dismemberment of the Union—would be better than any *peace* which even tacitly acknowledges the right of secession. Yes ! if the South are to go out of the Union, let them hew their way out by the sword. It will be so rough a way, that others will not be likely thereafter to tread in it. But make the way easy, let it be once understood that there can be such a thing as peaceful secession, and you extinguish all hope of preserving what may yet remain of the Union."

He maintained this position firmly throughout the war, never wavering or desponding, but always ready with purse and pen to support the

government in suppressing the rebellion. His only son volunteered in 1861, and served with distinction through the whole war—devoting himself to the military profession. He was transferred to the regular army in which he is now a Captain.

Having thus reached the age of sixty, after a career of so much honor and usefulness, Mr. Field was appointed by Gov. Olden, in November, 1862, to fill the vacancy in the United States Senate caused by the death of John R. Thompson. It was known that he could hold this position but a few weeks, the Democratic party being then in a majority in the State Legislature which was to meet in January.

I think it seldom happens that a Senator makes so marked an impression in so short a service, as did Mr. Field. He took his seat on the first of December, 1862. On the fourth he delivered a graceful eulogy upon his predecessor Mr. Thompson. The question of the hour was with reference to the discharge of state prisoners arrested by order of the President. It was deemed necessary to make these arrests and practically to suspend the privilege of the writ of Habeas Corpus. The power of the President to do this was strenuously denied. It was earnestly contended that Congress alone had that power under the Constitution, and that the Legislature and not the Executive, should judge of the political considerations on which that power rested. This question became one of exciting interest, and was warmly discussed in Congress and by the press. On the ninth of December, Mr. Field made a short speech indicating his views on this question, and on the seventh of January he made an elaborate argument on the subject, maintaining the power of the President with great force and eloquence. The question has lost its interest now, and the subject was practically set at rest by the act of Congress, passed March 3d, 1863, by which the President was authorized to suspend the privilege of the writ of Habeas Corpus whenever in his judgment the public safety required it. Whatever view may be taken of the question, no one can deny that Mr. Field maintained his side of the controversy with marked ability. And he took occasion in this speech to recur to his favorite subject of the share of New Jersey in the formation of the National Constitution, and once more to vindicate that Constitution from the attacks of its enemies. And he expressed in his wonted tone of unfaltering confidence—even in that dark hour of the struggle—his sure faith in the result. I cannot forbear to quote the closing words of this great speech—for they show the high standard of his patriotism and the bold temper he maintained throughout the war. And they also form a fine example of the style of his oratory.

“Mr. President—I have faith in the issue of this great struggle in which we are engaged; and never during the darkest hour which has marked its progress has my confidence ever for one moment abated. Sir, if I supposed it was possible that this country was doomed to perish in this struggle, I should begin to lose my confidence in the existence of a Power which superintends and presides over the destinies of the world. There are circumstances connected with our struggle here, which remind us very forcibly of the struggle that took place in England more than two centuries ago. That was a struggle against royalty, this is a struggle against slavery, and sir, there are some striking circumstances of resemblance between the two; for history is always reproducing itself. * * * * * There were during that struggle in England dark and dreary days, when almost every man was ready to despair. And yet there were always noble trusting spirits who never abated one jot of heart or hope. Among these was one whose name every lover of freedom as well as every lover of genius will always delight to honor. I mean John Milton. While there were those who argued that the state of things in England betokened degeneracy and decay, Milton declared that they were but casting off the old and wrinkled skin of corruption and slavery; that they were destined to outlive these pangs and to wax young again, entering upon a glorious career of truth and prosperous virtue; and then he breaks out into that sublime and glorious passage which I have so often called to mind, and loved to repeat as not inapplicable to our own condition; “Methinks,” said he, “I see in my mind a noble and puissant nation rousing herself like a strong man after sleep and shaking her invincible locks. Methinks, I see her as an eagle mewing her mighty youth and kindling her dazzled eyes at the full mid-day beam; purging and unsealing her long abused sight at the fountain itself of heavenly radiance; while the whole noise of timorous and flocking birds with those also who love the twilight, flutter about amazed at what she means, and in their envious gabble, prognosticate a year of sects and schisms.”

“Mr. President, this glorious Union, this noble Constitution will not be destroyed. We will emerge from this contest—I know it—I believe it. We shall emerge from this contest a purer, a nobler, a freer, a more united, a more happy people, than we ever were before. I rejoice that this conflict has come. It must have come sooner or later, and it would never have come at a better time than this. I believe most religiously that, the very disasters and reverses we have sustained in the progress of this contest have been sent by a merciful Providence for our good, and

are intended to render the victory when it comes more lasting, more thorough, and more complete. Oh what a noble contest is that in which we are engaged. It is a contest for law, for order, for civilization, for christianity, for free institution, here and everywhere, now and forever. Let this experiment of free government fail and when may we ever hope that another shall be successful.

"Mr. President, we cannot fail; there is no instance in the history of the world of a nation being suffered to perish in its fresh and early youth. Nations have risen and matured and decayed, but no nation like ours has ever been suffered to perish in the morning of its life. To use the beautiful imagery of the Bible, our sun will not be permitted to go down while it is yet day; we shall continue to be a beacon light to illumine the nations of the world and to beckon them on in their path of freedom."

While yet engaged in his duties as Senator, Mr. Field was appointed by President Lincoln, Judge of the District Court of the United States for the district of New Jersey, to fill the vacancy caused by the death of Judge Philemon Dickerson. This appointment was made January 21st, 1863. And his place in the Senate was taken on the same day by Mr. James W. Wall, who had been elected by the Legislature for the unexpired term of Mr. Thompson.

Judge Field entered immediately on the duties of his new position, with a keen sense of their importance, and an earnest desire to use the rapidly expanding powers of the Courts of the United States, for the best interests of the country. I think he regretted that his term in the Senate was so brief. He felt himself qualified especially for legislative duties. I believe that he would have distinguished himself more signally in the Senate than on the Bench, because the field was better suited to his training and his powers. He was in the true sense a *statesman*. He had studied statesmanship as a science. He was thoroughly familiar with political history. He had studied the best works on political economy. He was versed in English literature, and especially familiar with the best models of English eloquence. He had firm and definite political convictions, and was thus prepared, in an unusual degree for a legislative career. But he entered with pleasure and zeal upon the new career so unexpectedly opened before him, and although he had no judicial experience, he was able to adapt his acquirements to his new duties with great facility. He saw at once the importance of these duties and the manner in which the business of the court must expand under the pressure of the war.

During the year preceding, Judge Dickerson had been almost helpless from disease. Prior to the war little business had been done in the District Court; there had never been as many cases tried in the Court from the time of its organization, as are now often disposed of in a single term. In fact it was a piece of unused, dead machinery. Judge Field immediately devoted himself to the task of putting this machinery in motion and using it in the service of the country. The temper in which he entered upon his duties is well shown in the opening words of his first charge to the Grand Jury delivered April 21st, 1863. I quote them because I have felt throughout my effort to portray his character, that if I could make up my sketch from his own earnest words, uttered from time to time through nearly fifty years, they would form the best picture of his mind, and the best proof of his faithful service to the State. He said to the Grand Jury :

"Upon this the first occasion of my meeting you, I should be doing violence to my own feelings, and, I am sure, should be obstructing the current of your thoughts, if I did not make some allusion to the unhappy condition of the country. Even if it were possible to repress the utterance of sentiments which at a time like this, must struggle for expression in the breast of every right minded man, silence is forbidden me by the fact that there are crimes and offences incident to that condition and growing out of it, into which it may be your duty to inquire, and to which it is certainly my duty to direct your attention. For the last two years we have been engaged in a war, which, whether we consider its character, its causes, or the consequences which are likely to flow from it, cannot but be regarded as one of the most remarkable that the world has ever witnessed. The issues involved are not disproportioned to the magnitude of the contest. They embrace everything dear to us as a nation; the integrity of our territory, the preservation of our Union, and the perpetuity of our free institutions. A period has now arrived when it has become manifest to all that there is but one alternative presented to us. This war must be prosecuted with vigor until the authority of the Government is respected and obeyed over every foot of territory belonging to the United States, or we must submit to a ruinous and ignominious peace. Undoubtedly war is one of the greatest calamities that can befall a nation; and a civil war, of all others, is usually the most cruel and the most desolating. But like other evils with which God in his providence permits either communities or individuals to be afflicted, it is not always without its compensations. Like storms in the natural world, it sometimes has the effect of purifying the political atmosphere.

It scourges before it the lazy elements which without it would stagnate into pestilence. The very sufferings it produces, and the sacrifices it compels, have a tendency to extinguish the vices which are engendered, and to call into action the virtues which are apt to languish in times of prosperity and peace. And then, let it be remembered that there are greater evils than war, and evils too, against which war alone can furnish an adequate protection. When this is the case, war, instead of being a curse, is a blessing. Instead of being a messenger of wrath, it is an angel of mercy, grim-visaged though it may seem. Such is the character of the war which has been forced upon the people of the United States. Paint it in the blackest colors you will; multiply ten-fold the blood and the treasure it will cost; still there is an evil infinitely greater than even such a war; still it is to be preferred to peace with disunion, the only peace that it is possible for us to have. The evils of war are temporary. Its ravages may soon be repaired. The places it has made desolate may soon be re peopled; the cities it has laid in ashes may be rebuilt, and the peaceful pursuits of industry and enterprise, interrupted for a season, be resumed with new vigor, and awaken to new life and energy. But who can gaze unappalled into the gulf of Disunion? Who can fathom its depths of misery and degradation? Who can tell its countless evils, or set bounds to their duration?"

These are strong words with which to begin a grave judicial career. But that was an hour for strong words, and it was to the inspiring influence of such strong words as these, from men in high places to enforce them, that we owe in a large measure our salvation from those greater evils which he felt so deeply, and painted with so much power.

However earnest he was in manner and expression, he never failed in courtesy to members of the bar, and no one of all who have ever practiced in his Court will accuse him of having been warped in his judgment by any impure or unworthy motive. It was my duty to be in constant attendance at his Court, and for the first four years to be engaged in almost every case brought before him. I knew him well in his own home, and in all his public duties. All the motives of his conduct were revealed to me, as seldom happens between Judge and lawyer, and I can say with the deepest feeling and sincerity, that he was an upright, wise and high-minded Judge.

It is to be regretted that there were no means of preserving a record of his decisions, or reports of the cases heard before him. They embrace almost the whole range of the criminal jurisdiction of the United States Courts, and all the novel civil cases arising out of the war. And

in consequence of the feeble health of Judge Grier, all the patent cases and other business of the Circuit Court devolved upon him. If time would permit, I would be glad to refer to some of his most important decisions, but the life and labors of a Judge are generally barren of popular interest, and if no means exist of preserving his decisions, nothing can remain for posterity but the general impression of his judicial character.

I will not, however, omit to notice the case of the rebel war vessel *Retribution*, which, after a short career as a privateer, early in the war, was sold at Nassau to British merchants, and sent here with a cargo. She was seized for forfeiture on the ground that in time of war a neutral cannot be allowed to acquire title to a war vessel of either belligerent so as to prevent her condemnation if taken by the other.

Judge Field sustained this view in an able opinion, which was referred to with approbation by Earl Russell, when the matter was discussed in England, and the same decision has been made by the Supreme Court of the United States, since the war, in the case of the *Georgia*.

But I must not attempt to preserve any record of his judicial labors. I have constantly regretted that no facilities existed for taking down his charges to juries on the various questions that arose from time to time during the war. They would now be most interesting and valuable. But they do not exist in any form. He seldom wrote anything he uttered in Court. He felt confident that he could do it better orally on the inspiration of the moment. And he was right, for he had a wonderful mastery of the English tongue, and his mind was so stored with the fruits of his training in English literature, that he had acquired a rare facility of expression.

He continued to discharge his duties for seven years, until the first day of the term of April 1870. Up to that time he had never been kept away one day by illness, and scarcely a day for any purpose of his own. He was approaching the age of seventy, and he looked forward to a relief from his duties and to the full enjoyment of his favorite pursuits, in pursuance of the recent law of Congress. He suffered from no physical disability, except that during the last years of his life his sight failed him, and within a few months before his death he expressed the belief that he would soon become totally blind. He had wholly lost the sight of one eye. He spoke of this with feeling; but in a tone of manly resignation. He concealed it as much as possible, and it seemed to have little effect on the discharge of his duties; but I am sure it formed a part of the strange affliction which was so soon to terminate his life.

On the 19th day of April 1870, the first day of his April term, his judicial labors came to an abrupt and tragical close. He took his seat on the bench as usual, heard a few common motions, and was just about to charge the Grand Jury, when he suddenly called me, and told me he was unable to proceed. The Jury was at once requested to retire that the Court might be adjourned, when he rose and made some incoherent exclamation, and then fell headlong upon the floor. He was carried from the Court-room unconscious, and after a few hours was taken to Princeton. As he was carried through his beautiful grounds he seemed to gaze upon the trees and flowers which he had planted, with a pathetic fondness, as if conscious that they were soon to be shut out from his eyes forever. His mind was shattered; but for a few days his bodily strength remained, and he took a few lonely walks through the grounds—especially under that majestic row of pines which he had planted more than a quarter of a century before. And then the shadows of death gathered fast about him. The light faded from his eyes—he became totally blind just at the fullest beauty of the Spring. The light of the mind flickered slowly and went out. The body wasted with no apparent cause, in sympathy with the failing mind, and then he passed quietly away. He died on the 25th day of May 1870, and was buried in the Cemetery at Princeton; beside the wife whom he had lost eighteen years before.

He left three children: Edward, an officer in the United States Army; Helen, wife of Francis S. Conover of Princeton, and an unmarried daughter, Annis S. Field.

At a meeting of officers and counsellors of the United States Courts, held on the first day of June, the following resolutions were adopted:

"WHEREAS Richard Stockton Field, Judge of the District Court of the United States, for the District of New Jersey, stricken down in the midst of his judicial labors at the opening of the present term, has departed this life since the adjournment of the Court, therefore

Resolved, That we, members of the Bar of New Jersey, accustomed to practice in the Courts of the United States, desire to express and record our sincere sorrow for his loss, our high appreciation of his character as a lawyer and judge, and our tender respect for his memory as a man.

Resolved, That having entered upon his judicial career early in 1863, when the exigencies of civil war imposed upon him novel, delicate and arduous duties, and having held his office through the whole period of war and restoration, he died at the age of sixty-seven, crowning a life of marked usefulness and honor, with the great fame of an able, courteous, upright, fearless and merciful Judge. Grandson of one of the signers of the Declaration of Independence; nephew and pupil of one of the most distinguished lawyers of New Jersey; Member of the Legislature of the State; Attorney-General of New Jersey at the age of thirty-four; a leading member of the convention which formed the present Constitution; a lecturer and preceptor in the Law School once established in Princeton;

author of "The Provincial Courts of New Jersey," and of many essays and orations on matters of political and literary interest; President of the Board of Trustees of the State Normal School, and the foremost advocate of our system of popular education; Vice-President and President of the New Jersey Historical Society; Senator in the National Congress, and Judge of the District Court of the United States; this is the record of the steps of his public career, and enough to show how useful has been his life, and how wide his influence in the generation in which he lived. But we who knew him well, can bear witness that to all these varied duties he brought a zeal and energy that never failed, a patriotism that never wavered, a lofty pride in his native State, a rare felicity of speech, a rich and varied mental culture, and a kind and generous nature. Such public labors and personal qualities must secure for his name a high place on the roll of the distinguished lawyers and Statesmen of New Jersey."

Judge Field was one of the Honorary Vice-Presidents of the Numismatic and Antiquarian Society of Philadelphia, and on the sixth of October 1870, Mr. Charles Henry Hart, the biographer of the Society, read a careful and appreciative notice of him, which has been published and to which I am indebted for a number of the incidents of his life.

I will not attempt any formal delineation of the character of Judge Field. Let his works speak for him. If faithful and unselfish labors in the best things that concern a State, form a true title to fame, then New Jersey will enroll him among her benefactors. Let us not be too ready to believe "that the evil that men do lives after them," and that "the good is oft interred with their bones."

If as the years go on we shall advance in generous culture, and learn more fully to enjoy and dispense the delights of learning, the graces of hospitality, and the loveliness of nature,—his example will not be lost nor his influence wholly fade away.

And if this Society shall continue to fulfil its purpose, it will preserve for the remotest generations an honorable record of the labors of its third President, Richard Stockton Field, in building up the State upon the firm foundations of education, liberty, and law.

HISTORY

OF THE

CONSTITUTION OF NEW JERSEY,

ADOPTED IN 1776,

AND OF THE GOVERNMENT UNDER IT.

BY LUCIUS Q. C. ELMER.

READ BEFORE THE NEW JERSEY HISTORICAL SOCIETY,

May 19th, 1870,

HISTORY OF THE CONSTITUTION OF NEW JERSEY.

ADOPTED IN 1776.

A large majority of the people of New Jersey, were resolute in their opposition to the tyrannical measures of the British Government, and determined to resist, if needful, by a resort to arms. Governor Franklin and most of the councillors, who held their appointments under him, were determined to adhere to the royal cause. But most of the members of Assembly, who had been elected in 1772, sympathized with the people they represented.

Early in 1774, the Assembly following the lead of Virginia, adopted a resolution for the appointment of a Standing Committee of Correspondence, and requested the Assembly of the other colonies to follow their example, and this they did. Massachusetts proposed that a general Congress should meet at Philadelphia in September, Governor Franklin was requested to convene a meeting of the Legislature for the purpose of appointing delegates to this Congress; but he refused to do so. In consequence of this refusal, a meeting of the people of Essex County was held at Newark, in June, which directed a circular letter to be sent to the several counties, requesting delegates to be chosen, to meet a general committee at New Brunswick on the ensuing twenty-first day of July. This request was complied with, so that a committee (as they styled themselves) composed of seventy-two delegates, convened at the appointed time and place, which passed resolutions condemnatory of the proceedings of Parliament, and chose five delegates to represent this colony in the proposed general Congress; but they did not assume any of the powers of a legislative body.

The General Congress met at Philadelphia in September, as proposed, and after adopting various resolutions and addresses, resolved that another Congress should be held on the tenth of May, and that all the colonies in North America, should choose deputies to attend the same. The Legislature of New Jersey met at Perth Amboy in January 1775, and passed a few laws. The Governor in his Message strongly condemned the meeting of a general Congress; but the Assembly, as the minutes say, by a unanimous vote, appointed five delegates, who attended the Congress, held in May 1775.

A Committee of Correspondence, appointed by a convention held in New Brunswick on the second day of May, appointed a general convention to be held at Trenton on the twenty-third of the same month; and meetings were held in the several counties, which chose one or more delegates, in one county as many as fifteen, who met at the appointed time and place, under the name of a "Provincial Congress," and proceeded to aid the Revolution, now fairly commenced, by assuming powers of government.

This Congress adopted the form of an association, which was directed to be sent to the Committees of Correspondence in the several counties, to be signed by the inhabitants. It pledged every person signing it, under the sacred ties of virtue, honor, and love of country, personally and as far as their influence extended, to endeavor to support and to carry into execution, whatever measures might be recommended by the Continental and Provincial Congresses. Only persons signing this association were allowed afterwards to vote for delegates to the Congress of the Province.

A Committee of Safety was appointed, to act during the recess of Congress; and such committees were afterwards continued and met from time to time until a regular government was organized. They in fact, exercised powers similar to those assumed by the bodies of Representatives that met under the name of Provincial Congresses; deriving their force from the active support of a large majority of the people.

By the existing laws, elections for Members of the Assembly were held by the Sheriffs under the authority of writs issued by the Governor and Council. As these officers were appointed by and held their offices during the pleasure of the Governor, it became necessary to provide a different mode of procedure. On the twelfth of August 1775, the Provincial Congress proposed a resolve, that the inhabitants in each county, qualified to vote for Representatives of General Assembly (who were persons worth fifty pounds in real and personal estate) should meet at the respective Court-houses, on the twenty-first day of September then next, and by plurality of votes, elect any number, not exceeding five, with full power to represent each county in a Provincial Congress to be held at Trenton, on the third day of October then next. The Chairman of the meeting chosen by the voters present, and any five or more freeholders, were required to sign certificates of the election. It was also resolved that a Committee of Observation and Correspondence, be elected in each county, with full power as well to superintend and direct the necessary business of the county, so as to carry into execution the resolutions and or-

ders of the Continental and Provincial Congresses, and the inhabitants of each township were directed to choose a sufficient number of freeholders, in March, yearly, to aid the county committee. By these means the Government was to a great extent taken out of the hands of the officers holding under the King; and by the coöperation of most of the people, the committees thus chosen, arrested and imprisoned persons believed to be disaffected to measures of resistance, or as they soon were called, the Tories; and they became, in most parts of the Colony, the governing power.

The ordinance of August was carried into effect, delegates from each county were elected and the Provincial Congress met at the time and place appointed. This body enacted ordinances (so-called, it would seem, to distinguish them from regular laws) for organizing a military force and for raising money by taxation, and these ordinances were submitted to and carried into effect by the people as of binding obligation. The regular Legislature met in November 1775, for the last time, and enacted two or three laws; but made no attempt to interfere with the proceedings of the Congress. There were thus, two distinct bodies, claiming and exercising legislative powers, and several members of the one were at the same time members of the other. The regular Legislature was prorogued by the Governor, until the third day of January; but they failed to meet on that day. Franklin then summoned them, by a proclamation in the name of the King, to meet on the ensuing twentieth day of June. But the Provincial Congress on the fourth day of June, by a vote of thirty eight ayes to eleven noes resolved that the proclamation ought not to be obeyed. On the sixteenth of June they ordered the arrest of the Governor, and he was taken into custody and afterwards sent as a prisoner into Connecticut, by order of the Continental Congress, where he remained a prisoner until regularly exchanged. However hard this proceeding may seem, it was a necessary severity, justified by the special emergency; and the effect was to put an end to the Royal Government, as was designed.

The only persons entitled by law to vote for Members of Assembly, were freeholders, and only such voted for the delegates to the Provincial Congress. But as there were now many able-bodied inhabitants who were not freeholders and whose services in aid of warlike measures were needful, this restriction was much complained of, so that after much discussion, it was resolved on the sixteenth day of February 1776, by a vote of nine counties in the affirmative and four in the negative, that every person of full age, who had resided one whole year in any county

immediately preceding the election, and was worth at least fifty pounds, (one hundred and thirty-three dollars) in real or personal estate, should be admitted to vote. Subsequently, a regular ordinance was passed embracing this provision, and requiring all voters and office-holders, to be persons who had signed the prescribed articles of association. This ordinance required the elections to be held at the Court-houses of each county, on the fourth Monday in May then next, and in subsequent years, to elect not more than five, and not less than three substantial freeholders, worth five hundred pounds, (the value then of a good farm.) It prescribed the manner of advertising the election, the officers who should hold it, and how it should be conducted and the result certified.

According to the mode of proceeding thus specified—which, except as to the presiding officer, was substantially the same as had long been practiced—at the time of commencing the election, usually ten o'clock in the morning, the voters of the county who had assembled, chose a presiding officer. Unless a poll was demanded, by a candidate, he took the sense of the meeting by naming the candidates, and requiring the voters to hold up their hands. If a poll was demanded, as was usually the case if there were more candidates named than the number to be elected, then each candidate who chose to do so, nominated an inspector and a clerk, and the voters severally named the persons they voted for and the clerks wrote down their names and recorded each one's vote. Generally the election closed the same day it was commenced; but if a majority of the candidates required its adjournment, the election might be adjourned to another day or another place. As many of the voters were obliged to ride on horseback, that being the only mode of travel then in use, in many cases nearly or quite a day's journey, it of course often happened that a large number of the voters were prevented from attending. This mode of voting prevailed until 1790, when a law was passed authorizing, in some of the counties, voting in the townships of each county and with written or printed ballots; and in 1797 this law was extended to all the counties. The change from a county to a township place of voting was undoubtedly a great improvement, and it becomes each day more and more evident, that the election precincts require to be made still smaller. But it may well be doubted I think, whether the boasted privilege of voting by ballot, is not rather a mistake than a privilege; and whether it will not be well to return to an open *viva voce* vote, so that each voter's choice may be distinctly recorded. The frauds that are now so frequently perpetrated, would thus be made more easy of detection. The purpose relied upon by the advocates of a

ballot; of thereby enabling the voter to avoid the danger of being subjected to the dictations of an employer or landlord, amounts practically to nothing. The case of a secret vote, unknown to the bystanders, is a rare exception to the general rule; and it is more than probable, that the practice of an open vote known to all, would tend to increase the independence and self-respect of the voters, and thus diminish the danger of his being influenced to vote otherwise than in accordance with his own convictions.

The Provincial Congress elected in May 1776 in accordance with the ordinance of the previous Congress, convened at Burlington on the eleventh day of June, and an equal number of delegates being returned from each County, they voted separately. Agreeably to the recommendations of the Continental Congress, they adopted a provisional form of government for the Colony. On the twenty-first day of June it was resolved, by a vote of fifty-four affirmatives to three negatives "that a government be formed for regulating the internal police of this Colony, pursuant to the recommendations of the Continental Congress of the fifteenth of May last." At the same time five delegates were chosen to represent them in the General Congress, and they were empowered to join in declaring the United Colonies independent of Great Britain, and to enter into a confederacy for union and common defence; always observing that whatever plan of confederacy they entered into, the regulating the internal police of this province, was to be reserved to the Colony Legislature.

A Committee of ten members, of which Rev. Jacob Green, a Presbyterian minister, who was a delegate from the County of Morris, was the Chairman, was appointed to prepare the draft of a Constitution on the twenty-fourth of June. Two days afterwards, the Committee accordingly reported. Who was the author of the draft does not appear. It has always been understood, that the Rev. Dr. John Witherspoon, President of Princeton College, took an active part in preparing it. He was a delegate to the Provincial Congress; but having been appointed by that body a delegate to the Continental Congress, his name does not appear on the committee, nor did he afterwards vote on the question of adopting the Constitution. Two eminent lawyers, Jonathan Dickinson Serjeant and John Cleves Symmes, were on the committee; but the instrument bears quite as prominent marks of a clerical as of a legal origin.

The draft as reported, was referred to a Committee of the Whole, and considered during the ensuing three days, but does not appear to have

been printed. On Saturday the twenty-eighth, it was resolved that Congress would receive the report of the Committee of the Whole on the next Tuesday at which time every member was enjoined to be punctual in attendance. On Tuesday July second, Congress resumed the consideration of the report of the Committee of the Whole, which (as the minutes state) after sundry amendments, was agreed to. Then "on the question whether the draft of the Constitution, formed on the report of the Committee on the Whole, be now confirmed, or be deferred for further consideration?" It was carried to confirm "now." The names of twenty-six members are recorded as voting for "now," and nine "for deferring."

On the next day, the minutes state, that "on the question whether the draft of the Constitution be now printed, or the printing be deferred for a few days, in order to consider in a full House the propriety of the last clause containing the proviso respecting reconciliation?" seventeen voted for printing "now" and eight "for deferring;" less than the regular quorum, but it had shortly before been resolved, that twenty should be a quorum for any business, except for the formation of the Constitution. One thousand copies were ordered to be printed and circulated, No attempt was made to submit the adoption of the instrument to a direct vote of the people. Under the circumstances, it was probably wise to omit doing so. It undoubtedly met the wishes and received the hearty assent of all the inhabitants in favor of an independent government, and it was not intended to harbor those who did not belong to this party. It was expected to be only temporary, but it continued to be acted under, and to provide the essentials of a good local government for sixty-eight years. It was indeed so popular, that it was only after several attempts, that its defects could be partially remedied by the substitution of that now in force. The Congress also resolved "that in order to prevent a failure of justice, all Judges, Justices of the Peace, Sheriffs, Coroners and other inferior officers of the late Government within this Colony, proceed in the execution of their several offices, under the authority of the people, until the intended Legislature, and the several officers of the new Government, be settled and perfected; having respect to the present Constitution of New Jersey as by the Congress of late ordained, and the order of the Continental and Provincial Congresses; and that all actions, suits and processes, be continued, altering only the style and forms thereof, according to the terms by the said Constitution prescribed, in the further prosecution thereof."

Independence was declared by the Continental Congress at Philadelphia, two days after the adoption of the New Jersey Constitution. On the eighteenth day of July the Provincial Congress, resolved that, "whereas the Honourable Continental Congress, have declared the United Colonies independent States, we the delegates of New Jersey in Provincial Congress assembled, do resolve and declare, that we will support the freedom and independence of the said States, with our lives and fortunes, and the whole force of New Jersey." The next day it was resolved, that this house from henceforth, instead of the style and title of the Provincial Congress of New Jersey, do adopt and assume the style and title, of the Convention of the State of New Jersey. This resolution seems to have been deemed equivalent to a virtual substitution of the title State, instead of Colony as used in the constitution. The Governor and the Legislature acting under its provisions assumed the name, "State of New Jersey," and indictments were framed in the same way. Subsequently a law was passed directing that all commissions and writs, which by the constitution were required to run in the name of the Colony, run in the name of the State of New Jersey, and all indictments should conclude against the peace of this State, the government and dignity of the same; and that all commissions, writs indictments before issued preferred and exhibited, which had the word State, and not the word Colony, should be and were declared to be good and effectual in law.

The Constitution thus hastily prepared and promulgated, made as little change in the form of the Government prescribed, as was consistent with the changed circumstances. The council, consisting of one from each county, and three members of Assembly, which number it was expressly declared might be added to or diminished by the Legislature, were directed to be elected, that year on the second Tuesday of August, and afterwards on the second Tuesday of October yearly, and the Legislature so elected was to meet on the second Tuesday after the day of election, that is to say in a fortnight after the election took place. The right of voting was left as it had been previously settled, to be in all the inhabitants of the Colony of full age, worth fifty pounds clear estate in the same and who had resided within the county, in which they claimed a vote for, twelve months immediately preceding the election. Members of Council were required to be worth one thousand pounds and Members of Assembly five hundred pounds each.

In regard to this provision regulating the right of voting, it is important to notice that, the same congress which adopted the Constitution,

on the fifteenth day of July, enacted an ordinance, which prescribed the places of holding the elections in August, how they should be conducted and the place for the meeting of the Legislature; and which contains this important provisio: "that no person or persons shall be entitled to a seat in council or assembly, unless he or they so elected, shall have first taken the following oath or affirmation, to wit, I. A. B. do swear (or affirm) that I do not hold myself bound to bear allegiance to George the third King of Great Britain; that I will not by any means directly or indirectly, oppose the measures adopted by this Colony or the Continental Congress against the tyranny attempted to be established over these Colonies by the Court of Great Britain, and that I do and will bear true allegiance to the Government established in this Colony under the authority of the people; and as it is highly reasonable, that the enemies of America should not be admitted to take an active part in our publick measures, no person or persons shall be admitted to vote at the said election, unless he first take the same oath or affirmation, if thereunto required, by any one of the Judges or Inspectors of the said election, which oath or affirmation any one of the Judges aforesaid shall be empowered to tender and administer to any or either of the said electors." And it may be noticed also that although females, who were worth one hundred and thirty-three dollars in their own right, were nominally embraced within the words of the Constitution, this ordinance refers only to males, the word, being "unless he take the same oath."

The Governor, and all the other State, as well as many of the County Officers, were directed to be chosen by the Legislature in joint meeting; the Governor yearly, the Judges of the Supreme Court for seven years, Judges of the Pleas, Justices of the Peace, Clerks of the Supreme Court and Common Pleas and the Provincial Secretary and Attorney General for five years each. Sheriffs and Coroners by the people of the counties yearly, to hold however only three years successively. Township Officers to be elected at annual town meetings. The Governor was to be President of the Council having no veto and only a casting vote; in his absence the Vice President of the Council to exercise his powers. He was, as the Governor of the Colony had always been, constituted the Chancellor and Captain General and Commander in Chief of the military force and Ordinary or Surrogate General. Any three or more of the councilors were constituted a privy council to advise him; and the Governor and Council, seven whereof were a quorum, were to be the Court of Appeals and to possess the power of pardoning criminals, after condemnation. No law could be passed, unless there should be a majority of all

the representatives of each body personally present and agreeing thereto.

The establishment of any religion was prohibited; and provision made that no protestant inhabitant of the Colony should be denied the enjoyment of any civil right, and that all persons of the protestant religion should be capable of being a member of either branch of the Legislature, and of holding office.

All the laws contained in Allison's edition of the laws, which had then just been compiled and published by authority of the Legislature, and which contained the titles of all the private acts and all the public acts supposed to be in force, were declared to be in force, excepting such only as were incompatible with the constitution; and the common law of England, as well as so much of the statute law, as had been before practised in the Colony was to remain in force, until altered by a future law of the Legislature. The inestimable right of trial by jury, was to remain confirmed as a part of the law of the Colony without repeal forever.

Every member of the Council and Assembly was required to swear or affirm, that he would not assent to any law vote or proceeding, which should appear to him injurious to the public welfare, nor that should annul or repeal that part of the third section in the charter, which establishes an annual election of members of Council and Assembly, or that part respecting the trial by jury, or that should annul, repeal or alter any part of the eighteenth and nineteenth sections of the same; these last being the sections in regard to religion.

The concluding clause so much objected to by some of the more ardent members of the Congress was as follows: "It is the true intent and meaning of this Congress, that if a reconciliation between Great Britain and these Colonies should take place, and the latter be again taken under the protection and government of the Crown of Great Britain, this Charter shall be null and void, otherwise to remain in force."

It is declared by the first article of this constitution, "that the government of this province shall be vested in a Governor Legislative Council and General Assembly." There is no reason to doubt, from the fact that the members of the Legislature are required to swear or affirm that they would not assent to any law altering certain parts of it, that it was then supposed, the Government they constituted would be supreme in the sense declared by Blackstone in his commentaries, then the text book of the lawyers and judges, and might alter the Constitution if not restrained. The principle now so well established, that a law not in ac-

cordance with the Constitution is null and void, and must be so held by the courts, whenever the question was brought before them, had not then been recognized.*

In pursuance of this Constitution and of the ordinance to carry it into effect, elections were held in all the counties, and the new Legislature met at Princeton on the twenty seventh day of August 1776, and continued in session until the ensuing eighth day of October. On the thirty-first day of August William Livingston, was chosen by the joint meeting of the two houses Governor, and subsequently the other officers. The State of New Jersey thus became an independent sovereign State; not in the absolute sense sometimes insisted upon, but substantially and relatively. The inhabitants declared themselves free from their previous allegiance to the King of Great Britain and independent of him and of the parliament; but they were not independent of the other States, who were unitedly engaged in waging a war, to the hazard as all knew and acknowledged of their fortunes and lives. The independence declared by the Continental Congress and recognized by the Congress of New Jersey was, that the United Colonies, were and of right ought to be, free and independent States.

The people of New Jersey, and their government ceased to be a Colony, and subject to the control of a foreign power, and assumed the most important rights and duties of sovereignty. They possessed and exercised the power of punishing as traitors all persons who resisted their authority. But from the beginning, they owed and acknowledged allegiance to the Continental Congress. As has been seen the Constitution adopted, was designed "for regulating the internal police of this Colony." The delegates to the Continental Congress were empowered to join in entering into a confederacy for union and common defence, reserving only the regulating of the Internal Police of the Province to its Legislature. Before and after this confederacy was formed, and until the adoption of the Constitution of the United States in 1789, the individual inhabitants were not directly amenable to any laws of the Congress, which had no judiciary and no executive to declare or enforce such laws; but they were willing subjects of the higher power of waging war entrusted to it. No citizen owed allegiance to the Government of the United States, in the strictly legal and technical sense of being tried and punished as a traitor; and on account of this material

* This question was agitated in the case of the State vs. Parkhurst deceased in 1804, in which Chief Justice Kirkpatrick delivered an able opinion affirming the duty of the court to declare a law void which was in conflict with the constitution. 4 Halsp Rep 442.

defect in the confederacy, the laws of the several states provided for the judicial punishment of offenders against the laws of Congress. But had the authorities of any of the States, undertaken to array the power of that State against the Continental Congress, while the conflict with Great Britain was going on, the military force at the command of Congress would of necessity have been turned against the forces of the State and the persons adhering to it would have been treated as rebels. Gov. Franklin was not subjected to any judicial action ; he had violated no law ; but he was treated as a prisoner of war ; and had he been placed in the same situation a century earlier would probably have lost his head.

The colony of New Jersey, as well as other colonies, always exercised some sovereign powers ; but they were subject to the supreme sovereignty of Great Britain, and the proper limits of this sovereignty, was the subject of constant dispute, and at length produced a war, which made them independent. From 1776 to 1789, as has been already remarked, some powers of superior sovereignty, imperfectly defined, but real, were acknowledged to exist in the Continental Congress, wanting as that body did, most of the attributes of a Government. When the Constitution of the United States, under which it is our happiness now to live, was adopted, a government was established with full powers, and every individual inhabitant of the States, was made personally subject to its rule. They became liable to punishment by means of a judicial proceeding, and it was declared to be treason, to levy war against that Government. The several States were still left to be Sovereign States, and as such may still punish treason against their separate governments. But over the subjects exclusively confided to the rule of the general Government, embracing among them many, of what may be called, the higher attributes of sovereignty, the sovereignty of the State is abolished. The sovereignty of this general Government, extends only to such objects as are in terms, or by necessary implication, expressed ; but over these objects its right to command is absolute, and subject to no control but that provided in the Constitution itself. Every citizen has thus become plainly subject to two distinct sovereignties, acting upon him individually, in respect to different objects, and he therefore owes allegiance to them both ; that is to say, he is bound to obey their laws. It cannot be doubted, however, that many intelligent politicians have believed, and I suppose yet believe, that a paramount allegiance is still due to the individual sovereign States, and that these States may discharge their allegiance to the Union, by an act of formal secession. This opinion has evidently been founded on the notion that sovereignty, or the

right of command, is of necessity one and indivisible. This was the teaching of the ancient Greek authors, and especially of Aristotle; and as these authors had no conception of a government restrained by express limitation of its power, and had no proper conception of a divine superintending Ruler of Nations; such a notion is not to be considered wonderful. But the wonder is that such views should be thought applicable to circumstances so radically different. It is a signal instance of the long abiding influence of wrong principles, when once adopted, as undisputed axioms. No State was ever sovereign in any such sense. Now, under the Constitution, it is simply a question of interpretation. As was clearly discerned and stated by De Tocqueville, in his *Democracy in America*, our united government, "rests, upon a wholly novel theory, which may be considered a great discovery in modern political science." It would seem impossible for language to make it plainer than that used in the remarkable instrument. It is not only declared that the constitution and laws made in pursuance of it, shall be the supreme law of the land, but that the Judges in every State shall be bound thereby, anything in the constitution and laws of any State to the contrary notwithstanding; and that all the executive and judicial officers and members of the Legislature of each State, shall be bound by oath or affirmation to support this Constitution. A supreme power is necessarily the judge of the duty of the inferior to obey, otherwise it could not be supreme. And to guard the citizens against any unconstitutional use of such a power, a supreme judiciary was provided, as independent of all undue influence as circumstances permitted, whose authority was made to embrace all cases in law or equity, arising under the constitution or laws of the United States.

That these provisions constitute the Government of the United States, the ultimate Judge of all questions arising between it and the Governments of the separate States, is too plain to admit of dispute; and so far as this question is concerned, it is immaterial, whether we regard the Union as properly a Federal Union, or as something entirely different. It is in truth a very complete Union, without any previous example in the history of the world; in some of its aspects a Federation of sovereign States, in others, a Government over all the citizens. Some of the more candid advocates of secession, admit the paramount power of the general Government over the governments of the States, and deny the power of a State while remaining in the Union, to nullify the laws of the general Government. But they insist that there is still an ultimate sovereignty in the people of each State, which is so supreme and inca-

pable of limit, they have the reserved right to withdraw from the Union at their pleasure, responsible to no other power than to the Supreme Ruler of the Universe, for the reasons they may deem sufficient to justify such a course.*

If this was put forward merely as a statement that, for sufficient reasons, a people may be morally justified in revolting against the established Government, as our forefathers did, when they cast off the Government of Great Britain, it need not be objected to. Even a part of any State may be justified in doing this. The right, if such it may be called, is the right of self-defence, and paramount to all laws and constitutions. It is therefore no legal or constitutional right. It can never be exercised against the consent of the existing Government, unless those endeavoring to exercise it have sufficient force to displace that Government and to deprive it of its power. The individual actors in such cases, understand that they go into the conflict in full view of the halter, and of all the other consequences of treason. It is a part of the divine government of the world, apparently necessary to prevent constant anarchy and confusion, that it is usually a hard thing to make a successful revolution. The theoretical line of distinction between secession and revolt, may seem very thin; but the difference practically is very great. Men will readily enter into measures considered legal and constitutional, who will start back with horror from embarking in a treasonable revolt.

The defects of the State Constitution of 1776, were mostly on the popular side, and except the most palpable error of failing properly to separate the legislative, executive and judicial powers, so essential to every good government, they have in my opinion, been very imperfectly remedied by that adopted in 1844. Instead of a tenure during good behavior, so important to secure an independent judiciary. the judges are still appointed for the limited term of seven years, and the office is thus made the coveted prize of party conflicts; and the highest court is still encumbered with uneducated judges. But a still more important defect

* This is the ground assumed by Alexander H. Stephens, in his elaborate work "A Constitutional View of the late War between the States." (See vol. II, p. 22. He claims that his doctrine is that taught by all writers, ancient and modern; but he cites none. The rights of an oppressed people to revolt, is taught and is set forth in the Declaration of Independence; but that State sovereignty is so indivisible in its very nature, that it cannot even bind itself to a paramount power, is not taught by any writers of repute. Mr. Calhoun's doctrine that the State Legislature may declare a law of Congress unconstitutional and not binding, and that this would make it void, so that the federal judiciary cannot enforce it, indefensible as Stephens agrees it is, is a more logical and consistent doctrine than his; being a fair inference from his wrong principle, that every citizen owes a paramount allegiance to the State.

is that the Governor has no effective veto. A bill which has been passed by corrupt means, will be pretty sure to become a law, in spite of the Governor's objections, as has been more than once made evident. If anything can be said to be fully established by the experience of over a century, it is that in a Democratic government, the legislative power is most to be feared and most needs control. Our present constitution has interposed several important checks to improvident legislation, that were wanting in that first adopted; but there is no reason to doubt, that sooner or later the people will demand and provide stronger restraints.

Most of the laws enacted during the existence of the war, were of a temporary character, relating to the organization of the militia, the laying and collecting of taxes, the issue and redemption of paper money, providing for its being a legal tender, continuing the courts, the sitting of which was often interrupted, the definition and punishment of treason, and the forfeiture of the estate of persons guilty of that crime. An Act was passed at the first session of the Legislature, declaring that the several courts of law and equity of the State, should be confirmed and established, and continued to be held with like powers, at the same time and places, as they were held before and after the Declaration of Independence. And afterwards, to prevent all doubts on the subject, it was enacted that all the private acts, (only the titles of which were contained in Allison's edition) before passed into laws by the Legislature, should, except such as had become obsolete, or had been disallowed by the King in council, or had been repealed or had expired, should remain in full force.

Before and after the adoption of the Articles of Confederation, and prior to the ratification of the Constitution of the United States in 1789, a considerable part of the State legislation, grew out of the circumstance that the State had become a sovereign power, and, so far as laws obligatory on individual citizens were concerned, independent of other Government. Some of these laws provide for punishing offences against the confederacy, by counterfeiting or refusing to receive its paper money, and made that money a legal tender. By a law passed by the State Legislature in 1778, "the United States of America," were declared to be a body politic and corporate, in New Jersey, and capable of suing in that name for debts due to them. Attempts were made, in conjunction with some of the other States, to regulate the prices of labor, and of many articles of merchandize, and especially of provisions; but

those like the legal tender act, proved worse than useless, and were soon abandoned.

Provision was made by the State laws for imposing duties on imports, and for enforcing those imposed by the Continental Congress, and for establishing Custom Houses and naval officers. An act passed October 5th, 1776, authorized the Governor and Council, by ordinance and commission, to establish a Court of Admiralty and Custom Houses, with the necessary officers, which was limited to one year, and in 1778 was continued and supplied with a new act. No record of the ordinances or commissions are now to be found; but it appears by numerous advertisements in Collins' *New Jersey Gazette*, that in 1778 and 1779 a Court of Admiralty existed, of which Joseph Lawrence was Judge, and afterwards J. Imlay and Joseph Bloomfield were Registers. The Court is advertised to sit, sometimes in Allentown, sometimes in Trenton, and in other places, to determine the cases of certain vessels named, which were taken from the enemy as prizes, and sales are advertised by John Stokes, Marshal.

It appears by the case of *Jennings v Carson*, in the Supreme Court of the United States, reported 4th, Cranch 2, that the sloop "George," and her cargo, captured in the year 1778, by a privateer, was libelled and condemned by the Court of Admiralty of New Jersey, in October, 1778, from which sentence there was an appeal to the Continental Court of Appeals, established by Congress, where the sentence of condemnation was reversed in December 1780, and restitution ordered. The vessel had been sold by the Marshal of the State Court, for paper money, but it did not appear what had become of the money; and the object of this suit was to render the owner of the privateer liable for it; which however, did not succeed.

In 1872 a very carefully prepared act of the Legislature was passed, regulating the proceedings in Admiralty, and the fees; and requiring the Judge and other officers to be appointed by the joint meeting for three years. In case of prize, capture, recapture, and seizure upon the water, an appeal was allowed to such judges as Congress had appointed or might appoint to hear appeals. One of the sections provides for a trial before a court of Oyer and Terminer, to be held by virtue of a special commission before any two Justices of the Supreme Court and the Judge of Admiralty, according to the course of the common law, of all traitors, pirates, felons and criminals, who shall offend

upon the sea, or within the Admiralty jurisdiction. Whether any such court was ever held, I have not been able to ascertain. The joint meeting appointed John H. Imlay, Judge of the Admiralty, and Joseph Bloomfield Register, and at the end of three years they were reappointed. Captures as prize were very infrequent after 1782, and the business of the court was probably not important. The papers and records of the court have not been preserved. After the ratification of the Constitution of the United States, which vested the admiralty jurisdiction exclusively in the courts of the United States, the State laws were repealed.

After the peace, the people who were greatly impoverished, were clamorous for stay laws, as has been commonly the case in all similar circumstances; and much hostility was shown to the courts, and especially to lawyers, who had to bear the odium of endeavoring to enforce the payment of debts and fulfilment of contracts. The prevailing feeling, was very much like that which existed in 1769 described in Judge Field's *Provincial Courts*, page 165. Happily it did not assume the shape of an open rebellion, as it did in Massachusetts; but it was very marked in many of the proceedings of the Legislature. The popular party had the ascendancy, and defeated every attempt to adopt a new Constitution, or to amend that in existence.

Abraham Clark of Elizabethtown, a surveyor by occupation, and a strong-minded man, whose intentions appear to have been good, but whose prejudices were very strong, was the backer of this party. He was several times a delegate to the Continental Congress, and was one of the signers of the Declaration of Independence. Being a member of the Legislature of 1784, he was the main advocate, and had the reputation of being the author, of a law which passed without serious opposition, entitled "An Act for Regulating and Shortening the proceedings of the Courts of Law." It was known afterwards as Clark's law, and the spirit which produced it was shown by his declaration; "if it succeeds, it will tear off the ruffles from the lawyers wrists."

But it did not succeed, Governor Livingston describes it as prolonging, rather than shortening law suits. It had some good provisions afterwards adopted with the necessary modifications; but like all such attempts at reform, made by incompetent persons, the innovations attempted were too great, and rendered it incongruous to other provisions of the law. It was soon altered, and after a few years entirely super-

ceded by the practice act of Governor Paterson, still the basis of our system.

An anecdote of Clark was told me by Judge Russel, as having been received by him from Clark himself, which is perhaps worth preserving; In the month of March 1788, he was a member of the Congress from New Jersey, and boarded with a widow lady in New York, where Congress then sat, who lived in a very plain way. Sometime after dark, he was sitting in her little parlor, at a stand with a single tallow candle, which was all the light in the room, when there was a loud knocking at the front door. It soon appeared that the French Minister had called in his carriage to pay his respects to the Member of Congress. Mr. Clark met him at the door, and then as he advanced into the room, retired backwards toward the stand where he had been sitting. He then attempted to sit down in the chair he had left, but which the landlady, unperceived by him, had removed. Finding himself falling to the floor, he unconsciously seized the stand, upset it, and extinguished the light; so that his Excellency the Minister, for titles were scrupulously observed in those days, was received by a member of Congress, lying on his back, but happily screened by total darkness.

Upon referring to the journals of Congress, it appears that on the fourteenth of February 1788, it was resolved that the Count de Moustier be received as Minister Plenipotentiary from his most Christian majesty, and be admitted to a public audience on the twenty-sixth of that month. There being then no executive, this was the ceremonial formally adopted by the Congress; and it was also prescribed that after such a public reception, the Minister should wait personally on the members at their lodgings. On the designated day the Minister was personally introduced by a committee appointed for the purpose, and having delivered his letter of credence, he addressed Congress in a set speech, to which the President of that body made a reply. All this is formally recorded; but the proceedings outside rest only in memory.

Clark was a rigid economist, and a steady advocate of popular measures. In 1787, although known to be opposed to the new Constitution of the United States he was appointed by the Legislature, a member of the Convention of this State called to ratify it; but ill health prevented his taking his seat in that body. In 1791 and 1793 he was elected a member of Congress, and died in 1794 in the sixty-ninth year of age.

By the terms of the State Constitution of 1776, all the inhabitants of the State, of full age and worth fifty pounds, who had resided for twelve months in the county where they claimed a vote, were entitled to a

vote. It is evident however that the Provincial Congress which framed this Constitution, understood that it would be in the power of any subsequent Legislature to restrict this privilege; for they themselves enacted an ordinance, as had been stated, which did this, and the first Legislature prescribed oaths to be taken, not found in it. But it was not long before it was found that a diversity of practice prevailed in different parts of the State. At an election held in 1806 for the selection of the county seat of Essex County, at which there was a warm contest between Elizabethtown and Newark, females and colored persons, were allowed to vote without inquiry as to their property, some persons, and among them some females boasted that they voted under different names several times during the day and night the polls were kept open, and the fraudulent voting was so great, that the Legislature set aside the election. The fact disclosed by the evidence produced to the Legislature in this case, occasioned the enactment of a new election law in November 1807, which passed the Assembly by a vote of thirty-one ayes to five noes. There was at this time a majority of democrats in the Legislature; but it was not a party measure; the leading federalists in the body, including the member from Burlington County, and the late James Parker of Middlesex voted for it. The universal public opinion of the people sanctioned its provisions, which with but little change continued in force until altered by the fifteenth amendment of the Constitution of the United States. This law commences with the following preamble,

“WHEREAS doubts have been raised and great diversities in practice obtained throughout the State, in regard to the admission of aliens females, and persons of color, or negroes to vote, in elections, and also in regard to the mode of ascertaining the qualifications of voters in respect to estate; and whereas it is highly necessary to the safety quiet good order and dignity of the State, to clear up the said doubts, by an act of the representatives of the people declaratory of the true sense and meaning of the Constitution, and to ensure its just execution in these particulars, according to the intent of the framers thereof:” therefore, it was enacted, that no person should vote, unless such person be a free, white, male citizen of the State, of the age of twenty-one years, worth fifty pounds proclamation money, and that in order to establish a uniform practice throughout the State, and to avoid all questions in regard to the qualification of the voter as to estate, every person in other respects entitled to vote, who should have paid a tax, should be adjudged by the officers conducting the election to be worth fifty pounds clear estate and entitled to vote.

It occasionally happened, however, that the officers of election disregarded this law, holding it to be unconstitutional and void, so far as it prevented aliens, females and colored persons from voting. This happened in at least one township in Cumberland County at a contested election for the place of erecting a court house in the year 1837; and this in part produced, what was called the broad seal war the next year. From 1809 to 1845 the polls were required to be kept open two days, and it was customary in the large townships to hold the election at different places each day.

Resident Members Elected

JANUARY 19, 1871.

Samuel Atwater, *Newark*.
Charles Badgley, *Newark*.
Charles M. Bolen, *Newark*.
Roderick W. Byington, *Newark*.
David Campbell, *Newark*.
D. T. Clark, *South Orange*.
J. W. Fielder, *Princeton*.
Augustus J. Gillett, *Newark*.
William B. Guild, *Newark*.
Rev. Samuel Hall, *Newark*.
Henry Hill, *Newark*.
Ferdinand J. Ilsley, *Newark*.
John C. Johnson, *Newark*.
Charles J. Kip, M.M., *Newark*.
William H. Lemassena, *Newark*.
F. L. Lundy, *Morristown*.
Joseph L. Munn, *Newark*.
S. V. R. Paterson, *Perth Amboy*.
Samuel C. Royse, *Newark*.
Rev. Stephen P. Simpson, *Irvington*.
Rev. Henry Veshlege, Jr. *Irvington*.
Edward Livingston Welling, *Pennington*.
Charles H. Winfield, *Greenville*.
Charles E. Young, *Newark*.

HONORARY MEMBERS.

George H. Moore, *New York*.
Jame Vecch, *Pittsburgh, Penn.*

PROCEEDINGS

OF THE

New Jersey Historical Society.

SECOND SERIES.

VOL. II.

1871.

No. 4.

NEWARK, May 18th, 1871.

THE SOCIETY met in their rooms at 11 A. M., REV. RAVAUD K. RODGERS, D.D., second Vice President, taking the chair in the absence of the President.

The Minutes of the last meeting were read and approved.

The Corresponding Secretary submitted the correspondence since the January meeting, and laid before the Society letters from George H. Moore, Esq., of New York, and James Veech, Esq., of Pittsburgh, acknowledging their election as Honorary Members, and from several other gentlemen accepting their election as Resident Members; from the Historical Societies of Maryland, Maine, Rhode Island, New York, Massachusetts, Iowa, Georgia, the Essex Institute, Mass. Smithsonian Institution, and Boston Public Library, acknowledging the receipt of the Society's latest publication; from the Governor's Secretary, acknowledging the receipt of the Resolution passed by the Society relating to the Flags of the New Jersey regiments; from Mr. H. D. Winton, enquiring after the papers referring to Rev. Peter Wilson, collected by Mr. A. Gifford, now in the Library; from the American Philosophical Society and Historical Societies of Chicago and Iowa, transmitting donations for the library; from Dr. J. Bowman, of Philadelphia, making inquiries after Dr. Carnahan's paper on the Pennsylvania Whisky Insurrection; from C. C. Haven, Esq., of Trenton, transmitting a book for

the library ; from Mr. J. P. Crayon, of New Foundland, N. J., in response to a suggestion made at a late meeting of the Society, that newspaper items referring to local history should be preserved, enclosing an article on Charlotteburg in Passaic County ; from Gen. James Grant Wilson, transmitting autograph letters of Chief Justice Kirkpatrick and Col. John Bayard ; and several other communications relating to Society matters.

The Treasurer reported the balance of cash in the Treasury as amounting to \$264 20.

The Librarian presented a list of the donations received since January for the Library and Cabinet, which will be found on a subsequent page.

MR. WHITEHEAD, referring to a donation of Continental and Provincial currency, drew the attention of the members to the extent of the Society's collection, and urged some exertion on their part to render it still more complete.

DR. S. H. PENNINGTON, from the Committee on Publications, reported the issue of another number of the "Proceedings" of the Society since the last meeting, containing besides the current business transactions to the present time, the Memoir of the late President Richard S. Field, by Mr. Keasbey, read before the Society in January, and a paper upon the first Constitution of New Jersey, by the Hon. L. Q. C. Elmer. As the Proceedings were distributed gratuitously to such only of the Resident Members as are not in arrears, should any not have received the recently issued number they should attribute it to their having omitted to comply with the prescribed terms.

The Committee informed the members that back volumes of the "Proceedings" could be at present supplied at \$1 50 per volume, excepting Volume 10, which is \$1 75, and that sets of the "Collections" (with the exception of the 1st Volume which could not be furnished) might be obtained by members at \$8 50 for the six volumes.

The Committee were pleased to be able to announce to the Society that Judge Elmer had been led to change his determination not to proceed with the preparation of his Reminiscences of the Bench and Bar of New Jersey ; that he was proceeding with the work and it would probably be completed in the course of two or three months. It would comprise a succinct history of the Constitution of 1776, and of the government and laws under it, as well as the Judge's personal reminis-

cences of the men engaged in their administration, and would be a valuable acquisition to the historical and biographical literature of the State.

In furtherance of the design heretofore announced to publish this volume as Volume VII of the "Collections" of the Society, the Committee recommended the adoption of the following resolutions:

Resolved, That on the completion of the work upon which the Hon. L. Q. C. Elmer, of Bridgeton, is now engaged, the Committee on Publications be authorized and requested to take immediate steps for its publication as a volume of the Society's "Collections," and that it will be issued as soon as in the judgment of the Committee it may be expedient.

Resolved, That the size of the volume and its general appearance be made to conform as near as may be to the size and appearance of the previous volumes of the series, and that the number of copies to be printed be left to the discretion of the Committee.

COL. SWORDS drew attention to the low state of the Treasury as not warranting the publication at the present time, but after some explanatory remarks from MR. WHITEHEAD, the resolutions were unanimously adopted.

MR. MARTIN R. DENNIS presented the report of the Committee on the Library. They congratulated the Society on the improved appearance of the rooms through the additions placed in them, partly by the Board of Trade and partly through the liberality of a few of the members, and the report proceeds as follows: "So long as the resources at the disposal of the Committee are so restricted, they must necessarily depend upon individual contributions to a greater extent than is agreeable to them or beneficial to the Society. They are informed by the Treasurer that the Library Fund, through the supineness of most of the members, and the neglect of others who are nominally subscribers to it, is virtually of little avail; and the last formal appeal of the Committee to individual members for additional subscriptions, did not awaken sufficient interest to call forth a single response. The Committee have no suggestions to offer for remedying this defect in our organization, as the Society has placed its financial affairs, very properly, in the hands of a special committee, every way competent to devise the necessary measures; but they do urge upon their fellow members the propriety of co-operating to make the Library what it should be, a depository of historical materials of all kinds, of constantly increasing interest and importance, adding yearly to its advantages and facilities. Nothing affords better evidence of our fulfilling the objects of our association than the growth and condition of the Library."

The only source of increase at present to the Library was from donations, but the Committee stated that it was in contemplation to inaugurate a system of exchanges with other institutions, whereby a large number of duplicate volumes might be made available in securing others that were wanted.

Since the last meeting the Cabinet had been re-arranged and catalogued; several volumes of newspapers had been bound, and all in the possession of the Society assorted and re-arranged, to facilitate their permanent preservation, whenever the finances might warrant steps in that direction. For six months the rooms had been open the greater part of every week day, and an Assistant Librarian had been in attendance. As this arrangement had resulted favorably for the interests of the Society; the Committee had authorized its continuance.

The Committee on Nominations reported favorably as to a number of gentlemen, whose names had been reported to them, and on balloting they were all duly elected, and several new nominations were received and referred.

MR. WHITEHEAD presented a Pocket Diary once belonging to Hon. Charles Fenton Mercer, of Virginia, which had been found during the Rebellion somewhere in that State, containing entries of journeys, engagements, &c., from March to November, 1816. He also presented in behalf of Miss CAROLINE HORNBLOWER, a book containing the minutes of three Literary Societies existing in Newark between the years 1790 and 1799; David B. Ogden, Elias Van Arsdale, William Halsey, Jacob Burnet, and other prominent citizens of Newark in after years, being among their members and participating in the discussions of the most momentous questions.

MR. JAMES H. TICHENOR presented a specimen of local currency for six cents, issued by the New York and Jersey Steamboat Ferry Co., in 1814.

COL. SWORDS read a letter received from Mr. Morgan L. Smith,* drawing attention to the death of David G. Burnet, of Texas, a native of Newark, and giving a succinct account of his career; and in behalf of Mr. Smith, offered the following preamble and resolution:

WHEREAS, Since the last annual meeting of this Society, David G. Burnet, a son of New Jersey, born in Newark in 1788, has gone to his great reward: and inasmuch as he has during a life of practical usefulness, in public and private relations, reflected honor upon his native State and city.

Therefore Resolved, That the Committee on Publications of this Society, are hereby requested to obtain a competent person to prepare and present at the next annual meeting a memoir of this great and good man.

* See Page 164.

The HON. WM. B. KINNEY, in some remarks of great interest, corroborated the statements of Mr. Smith as to the high character of Mr. Burnet throughout a life of many vicissitudes. He had ever retained a marked humility, leading him to decline even furnishing materials for a biography. Could his career be fully presented it would be found "more romantic than romance itself," and prove of great interest, not only to his fellow Jersey men, but also, and especially, to the citizens of Texas, with whose history he was closely identified.

MR. C. C. LATHROP, also eulogized Mr. Burnet, having become familiar with his character and public services while residing at the South.

After some further remarks from Captain Allen Bassett, Mr. Whitehead and Mr. Duryee, the preamble and resolution were adopted.

The Society then took a recess until half-past two o'clock, the intervening time being spent by the members in examining the Library and Cabinet of the Society, and in partaking of a collation spread in one of the rooms.

On reassembling, CHARLES H. WINFIELD, Esq., read a portion of a work, in the preparation of which he is engaged upon "The History of Hudson County;" the portion selected covering the period from the discovery down to the year 1661; which was listened to with marked attention.

On concluding, Mr. Winfield received on motion of Mr. HAYES, the thanks of the Society for his highly instructive and interesting paper; the usual request for a copy being waived in view of Mr. W.'s own intention to publish his history when completed.

MR. PEDDIE drew attention to the fact that comparatively few of the younger members of the Society were present at its meetings, which elicited some discussion as to the best course to be pursued to awaken a greater interest in the Society; but it being generally conceded that no other inducements could be offered for advancing its interests than were to be found in the high aims and purposes of its organization, the subject was dropped.

COL. SWORDS gave notice that at the next meeting of the Society he should move an alteration to the 7th Article of the Constitution so that the fee for admission shall read *five dollars* instead of "three dollars," the fee for life membership shall read *twenty-five dollars* instead of "twenty dollars."

The Society then adjourned to meet in Trenton on the third Thursday of January, 1872, unless called together in September by the Executive Committee.

Donations.

ANNOUNCED MAY 18th, 1871.

From the Massachusetts Historical Society—Proceedings of the Society—beginning April, 1869, ending December 1870. Published at the charge of the Peabody Fund.

From the American Philosophical Society—Transactions of the Society Vol. 14, new series, Part 1.

Proceedings of the Society, Vol. VI, No. 85.

From the Iowa Historical Society—Report of the Geological Survey of the State of Iowa, containing the results of examinations and observations made within the years 1866, '67, '68 and '69. By Charles A. White, M.D. 2 Vols.

Iowa Agricultural Report for 1869. Reports of the Insurance Department of Iowa—Life and Fire, 1868, '69. 2 Vols.

The Census of Iowa, as returned in the year 1869. Population, Agricultural Statistics, Manufacture, &c.

Journals of the Senate and House of Representatives of 13th Gen. Assembly of Iowa. 1870. 2 Vols.

Legislative Documents 13th Gen. Assembly, and Acts and Resolutions passed at the Regular Session, 1870. 3 Vols.

Des Moines Bulletin, Legislative Supplement; Phonographic Report for the Bulletin.

Annals of Iowa—the Quarterly for the State Society for January and April, 1871.

From the Chicago Historical Society—History of Illinois, and Life of Ninian Edwards.

The Last of the Illinois, and a sketch of the Pottawotomies.

Catalogues of the N. W. University at Evanston, Ill., 1869, '70; of the Illinois Normal University for 1861, '2, '4, '5, '8 and '9, and of the Lake Forest Academy, Ill., 1869, '70.

Annual Reports of the Illinois Industrial University for 1869 and '70, and 7th and 8th Annual Reports of the Board of Public Works, Chicago, 1868 and '9, and 15th and 16th Annual Reports of the Board of Education of Chicago, '69 and '70.

Annual Statement of the Trade and Commerce of Chicago, reported to the Board of Trade, 1869.

Transactions of the Wisconsin State Agricultural Society, 1869; of the State Horticultural Society, 1869, and Bulletin of the Wisconsin Academy of Sciences, Arts and Letters.

From the Wisconsin Historical Society—The North West during the Revolution. An Address before the Society, Jan. 31st, 1871. By Hon. C. J. Walker.

From the Maryland Historical Society—Settlement of Ellicotts' Mills, with fragments of History therewith connected. By Martha E. Tyson.

From the Essex Institute—Essex Institute Historical Collections, Vol. X. Bulletin of the Institute, Vol. 2, No. 9.

From the N. E. Hist. and Gen. Society—The Register and Antiquarian Journal, No. 2, Vol. XXV.

From the Authors—Oration on the 250th Anniversary of the Landing of the Pilgrim Fathers at Plymouth, 21st Dec. 1870. By Hon. Robert C. Winthrop, L.L.D., Pres. Mass. Hist. Soc'y.

Annual Report of the State Geologist of New Jersey for the year 1870. By George H. Cook.

Ancestry of Priscilla Baker, who lived 1694–1731, and was wife of Isaac Appleton, of Ipswich. By Wm. S. Appleton.

A new Historic Manual concerning the Three Battles at Trenton and Princeton, New Jersey, during the War for American Independence, in 1776 and 1777. By C. C. Haven.

29th Annual Report of the Ministry at Large, Providence, R. I. By Rev. E. M. Stone.

From the Trustees of Rutgers College—The Centennial Celebration of Rutgers College, June 21st, 1870, with an Historical Discourse, delivered by Hon. Joseph P. Bradley, and other Proceedings.

From George H. Cook—Sixth Annual Report of Rutgers Scientific School, 1870.

From Dr. I. P. Trimble—Geological Survey of Indiana, with maps and colored sections referred to on the Report. 1869.

From Robert Clarke—The Symmes Family and Notice of Capt. John Cleves Symmes, the author of "Theory of Concentrick Spheres."

From Robert C. Winthrop—Proceedings of the Trustees of the Peabody Education Fund, at their Annual Meeting Feb. 15, 1871, with the Annual Report of their General Agent, Dr. Sears.

From W. A. Whitehead—Three Volumes Newark Daily Advertiser for 1868, 1869, 1870.

Seventeen specimens of Continental Currency ; three specimens of the Provincial Currency of Connecticut ; one of New York ; four of Pennsylvania ; four of Maryland ; one of Delaware ; Twenty-one of New Jersey.

Evidence taken by the Committee of Investigation 3d District of S. Carolina, 1870.

From the Trustees—19th Annual Report of the Free Public Library of New Bedford.

From Dr. Samuel A. Green—Report of the Board of Education of Massachusetts from 1864 to 1871, inclusive. 8 Vols.

Adjutant General of Massachusetts' Report for 1864.

Address of Gov. Wm. Claflin to the Legislature of Massachusetts, Jan. 8th, 1870.

Inaugural Address of Shurtleff, Mayor of Boston, to the City Council, Jan. 3d, 1870, and of William Gaston, Mayor, Jan. 2d, 1871.

History of the Redman Farm, so called, situate in Canton, Norfolk Co., Mass., with map. By Ellis Ames.

Fellows of the Massachusetts Medical Society, 1781-1870. Alphabetically arranged.

Hon. Charles R. Train's Closing Argument on the Annexation of Dorebester to Boston. April 28th, 1769.

Senator Sherman's Fallacies ; or Honesty the Best Policy. By Edward Atkinson. 1868.

The Hoosac Tunnel Contract. By F. W. Bird. 1869.

Annual Reports of the Boston Provident Association, May 1870, of the Industrial Aid Society for the Prevention of Pauperism, Oct. 1870, of the Children's Hospital from Dec. 28th, '69, to Dec. 28th, 1870, of the Superintendent of Health for 1870, of the Trustees of the City Hospital, Boston, for the year 1868, of the Home for the Destitute, 1870, of the Channing Home for 1869 and '70, and of the Home for Aged Colored Women, 1869 and 1870.

Articles of Association and By-Laws adopted by the National Association of Cotton Manufacturers and Planters, April 29th, 1868, and Proceedings at their First Annual Meeting, June 30th 1869.

Report to the International Sanitary Conference of a Commission from that Body on the Origin, Endemicity, Transmissibility and Pro-

pagation of Asiatic Cholera. Translated by Samuel L. Abbot, M.D. 1867.

Abstract of the Records of the Trustees of donations to the Protestant Episcopal Church of the Diocese of Massachusetts. 1870.

The Church Almanac for A.D. 1871.

Resident Members Elected,

MAY 18, 1871.

Thomas D. Armstrong, *Mount Holly*.

Peter H. Ballantine, *Newark*.

Robert F. Ballantine, *Newark*.

William T. Carter, *Newark*.

Rev. Robert E. Dennison, *Newark*.

David C. Dodd, *Newark*.

Rev. Wm. Rankin Duryee, *Lafayette*.

J. Augustus Fay, Jr., *Elizabeth*.

John L. Love, M. D., *Montclair*.

Rev. J. H. McIlvaine, D. D., *Newark*.

Nathaniel Niles, *Madison*.

William Plume, *Newark*.

Samuel T. Smith, *Waterloo*.

Rev. Samuel M. Studdiford, *Trenton*.

R. M. Sutphen, M. D., *Newark*.

Rev. O. H. Tiffany, D. D., *Newark*.

Charles B. Thurston, *Newark*.

Rev. James P. Wilson, D. D., *Newark*.

FOR CORRESPONDING MEMBER.

Thomas Barron, *New York*.

LETTER FROM MR. MORGAN L. SMITH.

Accompanying the Preamble and Resolution on Page 158

NEWARK, May 6th, 1871.

Col. R. S. SWORDS, *Historical Rooms.*

DEAR SIR :—I contemplated presenting the accompanying preamble and resolution, commemorative of David G. Burnet, but as I am called away to a distant point, on the 18th inst. I send them to you for presentation, and at your suggestion, I have added a brief sketch of Judge Burnet, and his ancestors, which will show that his is eminently a Historical name, from both family and personal considerations. His grandfather graduated at the University of Edinburgh, and emigrated at an early period to the province of New Jersey, and received the degree of LL.D., from his Alma Mater. The Father of the subject of this sketch, Dr. Wm. Burnet, was also a man of letters—a member of the Continental Congress, and received the appointment of Surgeon General for the Eastern District of U. S.

An elder brother was a distinguished officer of the revolution, and a bosom friend of Lafayette, and yet, another brother, Jacob, was for a quarter of a century the most distinguished politician and statesman of Ohio. He left lasting fame as a legislator, in his state, was a member of Congress and of the United States Senate, a Judge of the Supreme Bench of Ohio, and a commissioner, with Henry Clay and R. Watkins Leigh, to settle a controversy between the States of Virginia and Kentucky. To his literary honors, may be added the degree of LL D., from Princeton and Transylvanian, and also an election to the French Academy of Science, an honor rarely bestowed on a foreigner.

The fame of Judge Burnet however is not alone derived from his greatly distinguished family—for when a carefully prepared record of him, from youth to old age, is presented to us, we shall find him a good student and a ripe scholar at an early age. An officer in Gen. Miranda's expedition in South America. A law student and practitioner, with his brother in Ohio, from which he was compelled on account of ill health to seek the milder climate of Mexico, where he was appointed an "Alcalde," of the colony of Texas, in which capacity he rendered efficient service in forming its judiciary.

After a successful revolution in 1836, he was elected the first President of the "Republic of Texas." In this position he greatly distinguished himself in successfully founding a new state.

During his administration, he was esteemed an able statesman, a wise and just ruler; he declined a second election, but was subsequently vice-President, Secretary of State, and in 1866 was chosen unanimously by the Legislature of Texas U. S. Senator.

This is a mere glance at the unsought public trusts committed to him by a grateful people.

His retirement from public life, and waning health, induced him to visit his native city in 1868. He soon however returned to his friends, in the state of his adoption, of whom he was wont to say: "they are indulgent to my faults, and disinterested in their friendship."

During his sojourn in our city, he was much interested in reminiscences of the friends and associates of his childhood and youthful days in Newark, and usually closed his musings with the sad remark, "they are all gone before me."

Seventy years had so changed the humble village to a great city, that he was bewildered in his efforts to locate *exactly* the site of the home of his ancestors, or those of his early friends.

When taking his last lingering look at the First Presbyterian Church, on Broad street, his apostrophe was most touching and memorable,—

"Dear old Church, there lie the remains of my ancestors, in it I was taught the principles of the gospel of our Divine Master. I cannot be grateful enough to God that I have been sustained by it, during the changing vicissitudes of my long and eventful career, and that I can now entertain a blessed hope beyond these scenes of life."

On the 5th of December, last, he closed by a peaceful death, in Texas, a long and useful public, and christian life.

With the worldly skill possessed by many, he might have attained great wealth, but *to his honor* be it said, he died *very poor*. An heir-loom watch and a family bible, was the extent of his worldly possessions, yet, he had a generous ovation from his friends while he lived, and such sorrow at his death as could alone spring from disinterested friendship.

In the family bible referred to, was found after his death, a record of the last seion of his house, written in his firm round hand, "William Est Burnet, was killed at Spanish Fort near Mobile, March 31st, 1865. A victim to an unhappy war, and I only am left poor and desolate, O! God, thy will be done, and give me grace to submit cheerfully to it."

From a personal acquaintance with Judge Burnet and many of his antecedents I am enabled to give this brief sketch. When a competent historian shall have done him justice in a carefully prepared biography, you will have spread upon your records, a brilliant page in the history of the great men of New Jersey.

Very truly yours,

MORGAN L. SMITH.

PROCEEDINGS

OF THE

New Jersey Historical Society.

SECOND SERIES.

VOL. II.

1872.

No. 5.

TRENTON, January 18th, 1872.

THE SOCIETY met in accordance with its By-laws, the rooms of the Trenton Board of Trade being generously placed at its disposal. There was a large attendance of members and others from various parts of the State.

The Rev. SAMUEL M. HAMMIL, D.D., and the Rev. RAVAUD K. RODGERS, D.D., the second and third Vice Presidents, presided. The Governor of the State, President of the Senate, and Speaker of the House of Assembly, were seated near the presiding officers.

The minutes of the last meeting were read by the Recording Secretary.

The Corresponding Secretary submitted the letters received since May, among them being acknowledgments of their elections as Resident Members from the Rev. Drs. James P. Wilson and J. H. McIlvaine, of Newark, of Messrs. Nathaniel Niles, of Madison, and several others, and from Thomas Barron, Esq., of New York, of his election as Corresponding Member. The Iowa Historical Society acknowledged the receipt of the publications of the Society; Mr. Edwin Salter, of Washington, furnished an explanation of the disparaging term of "foreigners" as applied to Jersey men in some localities; Mr. Theodore Roosevelt, Secretary of the American Museum of Natural History, drew attention to a proposal of Mr. John C. Jay to dispose of his library and concho-

logical cabinet ; Professor Noah Porter, of Yale Collège, Professor Joseph Henry, of the Smithsonian Institution, and other distinguished literary gentlemen joined in an appeal for the restoration of the Strasburg library. A Communication from James Ross Snowden, Esq., of Philadelphia, asked for aid in collecting materials for a Memoir to be prepared for the Centennial National Anniversary in 1876. Mr. John O. Raune, of Trenton, announced a new history of New Jersey as in preparation by himself. Letters from Solomon Alosen and A. Remsen Thompson, Esqs., and General Theodore Runyan accompanied donations for the library, and letters from Messrs. G. Mollison, of Bound Brook, and W. S. Johnson, of Trenton, referred to genealogical enquiries. A. D. Schanck, of United States Army in California, furnished an interesting notice of the Settlers in Ohio, from New Jersey, who founded what is still known as "the New Jersey Church," which on motion of Mr. WHITEHEAD was referred to the Committee on Publications. Letters from the Hons. Henry W. Green and Joel Parker. Professor Charles W. Shields and J. Dixon, Jr., Esq., expressed their regrets at not being able to accept invitations to favor the Society with papers, and the Hon. John T. Nixon consented so to do. Various other communications connected with the operations of the Society were laid upon the table.

The Treasurer, COL. SWORDS, reported a balance in the Treasury of \$433.53., and that the invested funds amounted to \$1,608.42—the real estate of the Society being estimated as worth \$10,000.

The Librarian, MR. CONGAR, made an extended report of the donations received since the last meeting, and submitted some of the rare volumes for examination. The report in full will be found on a subsequent page.

HON. WM. B. KINNEY from the Executive Committee presented the following Report :

"The Executive Committee of the Society do not find any matters referring to its management calling for any special report from them at this meeting, the reports from specific committees and officers having placed the Society in possession of all necessary details.

It only remains for them to bring formally to the notice of the members the fact, with which each one must have become already acquainted much to his regret, that the Society is again without a head, by the death, on the 21st November last, of its highly esteemed President John Rutherford.

In accordance with the precedent established on the occurrence of the death of previous Presidents, the following announcement was made by the Committee on the day of Mr. Rutherford's decease :

"NEW JERSEY HISTORICAL SOCIETY.

"The painful duty again devolves upon the undersigned of announcing to the members of the New Jersey Historical Society, that death has deprived them of their President. To the names of Joseph C. Hornblower, James Parker and Richard S. Field, who in rotation honorably occupied the position, has now to be added the name of John Rutherford. He died at his residence in this city this morning, Nov. 21st, after a painful illness of several weeks duration in the 62d year of his age.

"Having an ancestry closely identified with the soil and history of New Jersey from an early period, Mr. Rutherford naturally associated himself with those desirous of perpetuating a knowledge of whatever, in the past or the present, might be found tributary to the honor and welfare of the State. His connection with the Society, consequently, dates back to the first year of its organization, and during the twenty-six years that have intervened, he was ever found among its most faithful, efficient and liberal members, always ready to contribute to its advancement to the utmost of his power. In 1865 he was made one of the Vice Presidents, and in January last was elected President to fill the vacancy occasioned by the death of Judge Field.

"He has gone from us universally respected and esteemed, while yet in all the vigor of life, and occupying an extensive field of usefulness ; and not only ourselves, but many others associated with him in other public institutions and public works calculated to advance the material interests of the State and the prosperity of its people, have to lament the loss in him of the Christian gentleman, the able counsellor and the generous friend ; while the State at large will miss his influence, both by example and precept, in all things becoming the good citizen.

"S. H. PENNINGTON, Ch'n Exec. Com.

/ "W. A. WHITEHEAD, Cor. Secretary.

NEWARK, November 21, 1871."

- Occasion will be afforded during this sitting of the Society for the adoption of such further evidences of respect for our deceased friend as may be thought advisable."

MR. WHITEHEAD, from the Committee on Publications, reported that,

A favorable arrangement had been made with Messrs. M. R. Dennis & Co., of Newark, for the publication of Judge Elmer's New Jersey Reminiscences, and the work would soon be issued as the Seventh Volume of the Society's "Collections." It would be a valuable and highly interesting addition to the historical and biographical literature of the State. By the arrangement made with the publishers the volume would be obtainable, by members, as well as others, only through them.

The Proceedings of the last meeting of the Society, with those of the present meeting, would soon be issued, constituting the concluding number of Volume 12. "It is believed," says the report, "that this is the only Historical Society in the Union whose proceedings from its organization are preserved in print in a permanent form. The minor papers and communications which have from time to time been presented to the Society, and are given in these volumes of 'Proceedings,' are frequently as valuable as those which our kindred associations print in their more imposing 'Collections.'"

The Committee had been requested at the last meeting of the Society to secure a Memoir of the late Judge Burnet, of Texas—a Jerseyman by birth—to be read before the Society, but had not yet succeeded in obtaining the desired paper.

In conclusion the Committee respectfully urged upon the members generally the propriety of securing copies of the Society's publications while they may be had. The first volume of the "Collections" having been out of print for some years, being now obtainable only at casual sales of rare works, and at a very high price, and as the editions of the "Proceedings" were small, some of the volumes of these were nearly exhausted.

The Committee on the Library reported that they had been encouraged in their exertions to make it more and more attractive to the public generally, as well as to historical enquirers. To the latter, its treasures are known and valued; but the entire absence of anything specially demonstrative in regard to it on the part of the Society, has rendered it less known generally, even to the citizens of Newark, than its size and character should have made it. It was gratifying consequently to find that it is becoming more appreciated and more generally recognized as the proper depository for articles which are not strictly illustrative of our history, but which, from their rarity or intrinsic value, contribute to the interest of the casual visitor. The Committee referred particularly to valuable donations received from Solomon Alofsen, Esq., late of Jersey City.

"No member of the Society" said the Committee, "ever contributed more liberally of his means to advance the interests of the institution and the collections of works, illustrative of our recent civil war, numbering as bound (several, in many instances, being bound together) about two hundred volumes, will be his enduring testimonial among us. During the last summer, Mr. Alofsen made a short visit to this country prior to his taking up his permanent abode again in Holland, his native land, and on his departure added several volumes to the collection of works referred to, and enriched the library by several other evidences of his regard."

Subsequently, on motion of the REV. DR. HAMILL, it was

Resolved, That the thanks of this Society be returned to Solomon Alofsen, Esq., for his liberal donations so frequently bestowed, and that he be assured that he carries with him on returning to his native land, our cordial wishes for his health and happiness.

A large number of gentlemen who had been previously proposed, were elected members, and new nominations received. The following Standing Committees for the year were appointed by the Chair :

Committee on Publications—William A. Whitehead, Samuel H. Pennington, M.D., John Hall, D.D., William B. Kinney, Joseph N. Tuttle.

Committee on Library—Martin R. Dennis, Peter S. Duryee, John P. Jackson, Edward Sealy, the Treasurer, and the officers residing in Newark.

Committee on Finance—Joseph N. Tuttle, Wm. B. Mott, L. Spencer Goble, John C. Johnson, Charles E. Young.

Committee on Nominations—David A. Hayes, Rev. Robert B. Campfield, David Naar.

Committee on Statistics—N. Norris Halsted, F. Wolcott Jackson, Samuel Hamill, D.D., E. M. Shreve and Arthur Ward, M. D.

The Rev. Dr. Campfield, General Stryker and Mr. Wm. L. Dayton, were appointed a Committee to nominate officers.

Colonel ROBERT S. SWORDS then read a Memoir of the late President of the Society, Mr. John Rutherford, which commanded the earnest attention of the Society for its interesting and truthful delineation of his life and character. On its conclusion, MR. WHITEHEAD remarked that after listening to such a sketch of their late friend and associate, to the correctness of which all who knew him could testify, it seemed unnecessary to offer any resolutions expressive of the Society's regret at

his loss, he would therefore move that the memoir just read be referred to the Committee on Publications for insertion in the printed proceedings as indicative of the Society's appreciation of his worth. This motion, after some remarks by Rev. Dr. Campfield, one of Mr. Rutherford's class-mates, and Gov. Parker, was adopted.*

The Committee appointed to nominate officers submitted the following list :

OFFICERS FOR 1872.

President—RAYAUD K. RODGERS, D.D., of Bound Brook.

Vice Presidents—1st, HENRY W. GREEN, LL.D., of Trenton ; 2d, SAMUEL M. HAMILL, D.D., of Lawrenceville ; 3rd, WM. B. KINNEY, of Newark.

Corresponding Secretary—WM. A. WHITEHEAD, of Newark.

Recording Secretary—DAVID A. HAYES, of Newark.

Treasurer—ROBERT S. SWORDS, of Newark.

Librarian—SAMUEL H. CONGAR, of Newark.

Executive Committee—Samuel H. Pennington, M.D., of Newark ; N. Norris Halsted, of Kearney ; John Hall, D.D., of Trenton ; John Clement, of Haddonfield ; Charles C. Haven, of Trenton ; Peter S. Duryee, of Newark ; Samuel Allison, of Yardville ; Theodore F. Randolph, of Morristown ; Hugh H. Bowne, of Rahway.

These officers were on motion unanimously elected, and the REV. DR. RODGERS, took the chair as President, thanking the members for the honor conferred, pledging his cordial co-operation in advancing the interests of the Society, with which he had been associated for more than a quarter of a century.

The Society then took a recess for dinner, and on reassembling at 3 P.M., the room proving too small for the assemblage, the hall of the Young Men's Christian Association adjoining, was thrown open for the accommodation of the meeting.

DR. COLEMAN, in behalf of Mr. John A. Wright, the telegraph operator at Trenton in 1858, presented the first dispatch received by the Atlantic cable on the 16th of August of that year, having been preserved by him on silk as recorded by a House instrument at Trenton.

Communications were read from Mr. C. C. Haven and Miss Sarah Smith Stafford, of Trenton, relative to the origin of the stars and

*The Memoir will be found on subsequent pages.

stripes of our National flag ; and to the flag borne by John Paul Jones on board of " Le Bon Homme Richard " in his engagement with the Serapis, which has been preserved in Miss Stafford's family.

COL. SWORDS, then called up the alteration in Article VII of the Constitution, proposed by him at the last meeting, making the fee for initiation *five dollars*, instead of "three dolians," and life membership *twenty five dollars*, instead of "twenty dollars," and moved its adoption.

After some remarks from Messrs. W. S. Johnson and C. C. Haven, and Rev. Dr. Hamill, the motion was carried.

The Society then listened with unabated interest for nearly an hour, to a paper read by the HON. JOHN T. NIXON, Judge of the United States District Court, on "The circumstances attending the election of William Pennington, of New Jersey, as Speaker of the Thirty-Sixth Congress." This exposition of a most interesting and important event in the annals of Congress, by one conversant with all the circumstances, was highly appreciated by all who heard it.

On motion of REV. DR. HAMILL, the thanks of the Society were returned to Judge Nixon for his valuable, interesting and instructive paper, and a copy solicited for publication in the proceedings—with which request Judge Nixon has complied.

After a resolution of thanks to the Trenton Board of Trade for their hospitality, the Society adjourned to meet in Newark on the third Thursday of May next.

Resident Members Elected,

JANUARY 18, 1872.

Frederick Adams, *Newark*.
Leonard L. F. Appleby, *Spottswood*.
Charles C. Bolles, *Newark*.
Halsted C. Burnet, *Newark*.
James B. Burnet, M.D., *Newark*.
Edward N. Crane, *Newark*.
Jonathan T. Crane, D.D., *Newark*.
Frederick A. Demott, *Morristown*.
Wm. Foster Dodge, *Newark*.
H. W. H. Fitz Gerald, *Elizabeth*.
James R. Gilmore, *Newark*.
George W. Hubbell, *Newark*.
Rev. Frank A. Johnson, *Lodi*.
Isaac Kilburn, *Newark*.
Samuel Klotz, *Newark*.
William B. Lefevre, *Hurdstown*.
James C. Ludlow, *Newark*.
Samuel Meeker, *Newark*.
J. G. Pierson, *Paterson*.
John B. J. Robison, *Newark*.
Anson G. P. Segur, *Dover*.
Daniel O. Scott, *Newark*.
Rev. John Ward, *Bloomfield*.
John P. Wakeman, *Newark*.
Adolphus P. Young, *Newark*.

FOR HONORARY MEMBERS.

Teunis G. Bergen, *Bay Ridge, Kings Co., N. Y.*
Rev. William Stevens Perry, D.D., *Geneva, N. Y.*

Donations.

ANNOUNCED JANUARY 18. 1872.

From the Massachusetts Historical Society—Massachusetts Historical Collections, Vols. IX and X, fourth series, Vol. I, fifth series.

From the Georgia Historical Society—Constitution, By-Laws, and List of Members of the Society, 1871.

Wilde's Summer Rose, or the Lament of the Captive. An account of the origin, mystery, and explanation of Hon. H. B. Wilde's Plagiarism; by Anthony Barclay, Esq. Published by the Georgia Historical Society.

From the American Philosophical Society—Proceedings of the Society, Vol. XII, No. 86, Jan. to July, 1871.

From the New England Historic and Genealogical Society—Register and Antiquarian Journal, Vol. XXV, Nos. 3 and 4, Vol. XXVI, No. 1.

From the Essex Institute—Historical Collections, Vol. XI, part 11.

From the Smithsonian Institution—Smithsonian Contributions to Knowledge, Vol. XVII.

From the Chicago Historical Society—Charter, Constitution, and By-Laws of the Society, with Amendments.

First Special Report of the Chicago Relief and Aid Society.

13th Annual Report of the Trade and Commerce of Chicago, 1870.

15th Annual Report of the Board of Guardians of the Chicago Reform-School.

From the New England Society of Orange—Constitution and By-Laws of the Society.

From the U. S. Quarter-Master General—The Roll of Honor, Vol. XXVI.

From the State of Pennsylvania—Commissioners' 1st Annual Report of the Board of Public Charities of the State, 1870.

From the State of New York—53rd Annual Report of Trustees of the State Library.

From the Iowa Historical Society—The Annals of Iowa, Oct., 1871.

From the Historical Society of Delaware—Catalogue of the Society with its History, Constitution and By-Laws, and List of Members.

From the several Authors—An Historical Survey of the First Presbyterian Church, Caldwell, N. J. By Rev. C. T. Berry, 1871.

Bibliography of the Massachusetts Historical Society. By Samuel A. Green, M.D.

75th Annual Report of the Boston Dispensary, the By-Laws, Act of Incorporation, &c. By Samuel A. Green, Superintendent.

The Story of a Famous Book. An account of Dr. Benjamin Franklin's Autobiography. By S. A. Green, M. D.

The Pennington Family. By Capt. A. C. M. Pennington, 2d Arty. U. S. Army, Brevet Col. U. S. Army, Brevet Brig. Gen. U. S. Volunteers. Genealogical.

Report in relation to the Claims of the Heirs at Law of Samuel Collins, deceased, of Gloucester Co., N. J., to any unsettled Estate in England, &c.

Myles Standish, with an account of the Exercises of Consecration of the Monument Ground on Captain's Hill, Duxbury, Aug. 17th, 1871. Prepared by Stephen M. Allen, Cor. Sec. of the Memorial Association.

From Rev. Jona F. Stearns, D.D.—The New York Daily Times from 1851 to 1865 inclusive, to the end of the War.

From Robert Clarke—Pioneer Biography. Sketches of the Lives of some of the Early Settlers of Butler Co., Ohio. By James McBride. Vol. 2.

Ohio Valley Historical Series Miscellanies. 1. A Tour in the Kentucky and Indiana Territory in 1805. By Josiah Espy. 2. Two Western Campaigns in the War of 1812. By Samuel Williams. 3. The Leatherwood God. By R. H. Taneyhill.

Gen. James A. Garfield's Oration on the Life and Character of George H. Thomas, delivered before the Society of the Army of the Cumberland, Nov. 23d, 1870; at 4th Re-union. By Palmer's Oration.

The Social Problem. Seest thou this Woman? A Discourse by Rev. A. E. Taylor.

The Black Arts in Medicine. By John D. Jackson, M.D.

The Great Pyramid of Gizeh. The Plan and object of its Construction.

The Rights of Property of Married Women under the Laws of Kentucky. By H. Marshall Bedford.

Chloroform Deaths. Twelve Unpublished Cases. Comparison be-

tween Chloroform and other Anesthetics. Means of Resuscitation. By W. W. Dawson, Surgeon to Cincinnati Hospital.

The German University and the American College. An Essay by Charles Phelps Taft.

Kansas, her Resources and Developments, or the Kansas Pilot—giving a direct road to Homes for Every Body. By Wayne Griswold, M.D., 1871.

History of the Exposition of Textile Fabrics held in Cincinnati Aug., 1869. By Sidney D. Maxwell.

Proceedings of the Lexington R. Road Convention, and speech of Hon. John C. Breckenridge, Oct. 10, 1870.

The Bible in Schools. Supreme Court of Ohio, Dec. term, 1870.

Ohio Southern Boundary Line The Treasurer of Hamilton Co. vs. The Covington and Cincinnati Bridge Co.

From George Pearce—The Scottish Register; or General View of History, Politics, and Literature for April, May and June, 1794, with Miscellaneous Papers.

The New Annual Register, or General Repository of History, Politics, and Literature for 1782, 1792, and 1793.

The Gentleman's, The London, and the Universal Magazine, Miscellaneous numbers, 1732-40.

The Gentleman's Magazine and Historical Chronicle, Vol. XXII for 1752, and Vol. LVII for 1792.

The European Magazine and London Review, Vol. 29 and 30, for 1796, and 33 and 34 for 1798.

The Lady's Miscellany, or the Weekly Visitor, Vol 13 and 14.

Gliddon's Ancient Egypt, The Bible in Spain, and Dickens American Notes, in the New World Extra.

The New York Evening Post, from March 20, 1817, to April 30, 1818, 2 Vols., bound.

From A. Remsen Thompson—History of the First Congress of the United States, 1789-93.

Potter's Grecian Antiquities. 2 Vols.

The Churchman's Calendar, 1868.

Mohan Lal's Life of Dost Mohamed Kahn. 2 Vols.

Ferguson's History of the Roman Republic.

The Fundamental Words of the Greek Language. By F. Valpy.

Eirerarcha, or of the offices of the Justices of the Peace.

Washington's Farewell Address. Edition 1813.

Constitutions of the Several States of the Union, before the Rebellion.

Code of Procedure of the State of New York, as amended July 10th, 1851.

Knight's Cyclopædia of the Industry of all Nations. 1851.

Manual of the Corporation of the City of New York, 1851-1857, 1860, '62, '64, and '66. Eleven vols.

Aristotle's Ethics and Politics. 2 vols.

From Daniel O. Scott—The General History of the Turks, together with the Lives and Conquests of the Ottoman Kings and Emperors. By Richard Knolles. London 1868. 5th Edition.

A Collection of Almanacs, 1694 to 1817, 1821 to 1823.

Six Maps. Connecticut, the Middle States, New York, New Jersey, Delaware, and Kentucky.

A Tribute to the Swinish Multitude, a choice collection of Patriotic Songs. Collected by R. Thomson, 1795.

The Whole Truth, or The Essex Junto Exposed. A political pamphlet of 1808. By Hancock.

Independence Sermon, July 4th, 1814. By Daniel A. Clark.

The Englishman's Right. A Dialogue on the Antiquity, the Excellence, the Office and Just Privileges of Juries. By Sir John Hawes, Kt., London, 1771.

A Narrative of the Suppression, by Col. Burr, of the History of the Administration of John Adams. By John Wood. To which is added a Biography of Tho. Jefferson, and of Gen. Hamilton, with strictures on the conduct of John Adams, and on the character of Gen. C. C. Pinckney, extracted from the suppressed History. By a Citizen of New York, 1802.

An Impartial History of the Present War in America; containing an Account of its Rise and Progress, the Political Springs thereof, with its various Successes and Disappointments on Both Sides. By Rev. James Murray, of Newcastle. 3 vols in 2.

From Rev. J. F. Tuttle, D.D.—Life and Character of Rev. D. Howe Allen, D.D. A Memorial Sermon by Rev. Henry Smith, D.D.

Inaugural Discourses of Prof. Morris and Nelson, on 32nd Anniversary of Lane Theological Seminary, with a brief Sketch of the Institution.

Historical Sketch relating to the Original Boundaries and Early Times of Franklin County, by Jos. Sullivan, Esq., 1871.

Historical Outlines of the Presbyterian Church of Missouri By Rev. Timothy Hill, 1871.

From Wm. Foster Dodge—South Carolina Executive Documents. No. 1, Correspondence with the Collector. No. 2, Correspondence and other Papers relating to Fort Sumter; including correspondence of Isaac W. Hayne with the President. No. 3, The Governor's Message and Correspondence with the Commissioners from Virginia.

From Wm. R. Janeway, Junr.—The History of the First New Jersey Cavalry (16th Reg. New Jersey vols.) By Henry R. Payne, Chaplain.

From Rev. Charles Ray Palmer—Report of the Bureau of the Statistics of Labor. Massachusetts, 1870-1871. 2 vols.

From Dr. Samuel A. Green—The Civil Record of Maj. Gen. Winfield S. Hancock during his administration in Louisiana and Texas.

36th Annual Report of the Industrial Aid Society for the prevention of Pauperism. Boston, Established 1835, Incorp. 1871.

Catalogue of Lawrence Academy, Groton, Mass., 1871.

From John C. Suffern—A Roster of General, Field, and Line Officers of the Revolutionary Army.

From Hon. R. C. McCormick—Resources of Arizona Territory with a description of the Indian Tribes; Ancient Ruins, Chief Cochire, Chief Antonio, Stage and Wagon Roads, Trade and Commerce, 1871.

From Col. R. S. Swords—The Resources of Missouri and the natural Adaptation of Saint Louis to Iron Manufactures. By Sylvester Waterhouse.

Saint Louis the Future Great City of the World. By L. U. Reavis. Third Edition.

16th Annual Report of the Board of Directors of the St Louis Public Schools, 1870.

Report of the Newark Joint Committee of the Chicago Relief Fund, in aid of the Sufferers in the City of Chicago.

From the Librarian of Yale—Catalogue of the Officers and Students in Yale College, with a statement of the course of Instruction in the various Departments, 1871-72.

From Solomon Alosfen, Esq.—The Rebellion Record. Edited by Frank Moore. Tenth and Eleventh Vols.

The Jersey City Times from Sept. 14th, 1864 to Aug. 17th, 1867. Vols. 1, 2, and 3.

A Pair of Globes. Celestial and Terrestrial. Published under the

Superintendence of the Society for the Diffusion of Useful Knowledge, 1850.

Three Busts. Wm. Shakspeare, Walter Scott, Benjamin Franklin.

A Halbert used in the War for the Independence of the United States. By Col. George Hawes, of Wrentham, Mass.

From J. H. Landell—Proceedings of the Naval Court of Inquiry, as to the Collision between the Oneida and Bombay, held at her B. M.'s Consulate, Yokohama, Japan. Official. Printed at the Jap. Gazette Office, 1870.

Blunt's American Coast Pilot. 17th Edition. A Spear from Madagascar, and Bowie Knife from Fort Donelson.

From Thomas Stewartson—A Mortgage for \$350, Feb. 2, 1768. Samuel Kimble to Edward Cathrall, with autographs of Samuel Allinson, Samuel Shaw, and Richard Smith, Clerk of Burlington County.

From Rev. Charles Ray Palmer—Report of the Bureau of the Statistics of Labor. Massachusetts, 1870-1871. 2 vols.

From Joel Munsell—21st and 22d Annual Report of the Inspectors of the Albany Penitentiary with accompanying Documents.

Manual of the Albany Institute with Papers read before the Institute on "The Velocity of the Electric Current over Telegraph Wire," and "Remarks on the Galvanic Battery." By G. W. Hough, A.M., Director of the Dudley Observatory; also Dr. G. T. Stevens, on "Life as a Physical Phenomenon."

Report of the Director of the Dudley Observatory on "The Total Eclipse, August 7th, 1869.

A Plea for the Endowment of St. Stephen's College, Amundale. By Robert B. Fairbarn, D.D., with the 9th Annual Catalogue, 1870-71.

Minutes of the 3d and 4th Annual Sessions of the Evangelical Lutheran Synod of New York State. Oct., 1869-70.

Secular View of Religion in the State and the Bible in the Public Schools. By E. P. Hurlbut, formerly a Judge of Sup. Court of New York.

Catalogue of the New York State Normal School, 51st term, ending Jan. 26th, 1870.

Minutes of the 74th Anniversary of the Rensselaerville Association, Sept. 1870.

An Account of Anneke Janse, and her Family, also the Will of Anneke Janse in Dutch and English,

From Daniel E. Hervey—The Story of Alsace and Lorraine. How they were lost to Germany.

A Lecture on the Principles of Money. By John Wills.

A Piece of the Vendome Column, Paris. Collection of Coins, Autographs and Autograph Letters.

From Dr. G. N. Searing—New York Water Works Note for Two Shillings current money of the Colony of New York, payable on demand by the Mayor, Alderman and Commonalty of the City. Dated 25th Aug., 1774.

From Elihu Mockridge—An Ancient Leather Wallett, Stamped Joshua Boutin, Boston, 1743.

From William B. Mott—A Photograph of the Old Banking House of the State Bank at Newark. Established 1812.

From the Publishers—The Historical Magazine Extra. Vindication of vol. 1 of the Collections of the Vermont Historical Society, from the attacks of the N. Y. Historical Magazine, by Hon. Hiland Hall; with illustrative Notes and a letter from H. B. Dawson, in response to Gov. Hall.

The Weekly State Gazette. Trenton, N. J.

The Golden Age. City of New York.

The Warwick Adventurer. Orange County, New York.

The New Jersey Courier. Tom's River.

From Wm. Nelson Clark—Proceedings of the Board of Chosen Freeholders of the County of Passaic and the Report of the County Collector for 1870.

From Henry W. Duryee—Memorial of Sedan. A piece of the Bread used during the siege, preserved under glass.

Dr. ROBERT S. SWORDS, Treasurer, in account with NEW JERSEY HISTORICAL SOCIETY. Cr.

1871		1872	
January 1 To Balance.....	470.22	January 1 By Rent of Rooms and Salaries.....	598.35
1872		" Life Members Fees deposited Dime	
January 1 " Life Members' Fees.....	140.00	Savings Institution.....	140.00
" " Annual Dues, 1870.....	27.00	" Printers' Bills.....	197.65
" " " 1871.....	258.00	" Expenses, including Postages, Ex-	
" " " 1872.....	6.00	pressages, Fuel, Care of Rooms,	
" Initiation Fees.....	108.00	&c., &c.....	217.49
" Subscriptions to Library Fund.....	270.00		
" Rent from Board of Trade.....	225.00		
" Sales of Proceedings.....	13.35		
" " Collections.....	13.80		
" Interest on deposits Newark S. Insti.	55.65		
		To Balance.....	433.53
	1,116.80		
	<u>\$1,587.02</u>		<u>\$1,587.02</u>
INVESTED FUNDS.—On deposit in the Newark Savings			
Institution.....	1,060.00		
On deposit in the Dime Savings Institution, Accu-			
mulation of Life Members Fees and Interest...	548.42		
REAL ESTATE—West Park St., Lot, estimated value \$10,000.00			

We, the undersigned, appointed by the Finance Committee of the Society to audit the accounts of the Treasurer, do hereby certify that we have examined the vouchers of the Treasurer, and find the above account correct and true.

WM. B. MOTT.

JOSEPH N. TUTTLE.

Selections from Correspondence and Papers.

LAID BEFORE THE SOCIETY JANUARY 18, 1872.

LETTER FROM A. D. SCHENCK, UNITED STATES ARMY.

PRESIDIO OF SAN FRANCISCO, CAL., NOV. 4th, 1871.

SAMUEL H. CONGAR, ESQ.

DEAR SIR :—In looking through some old papers of my Grandfather Du Bois, I have found some notes about the "New Jersey Church of Ohio," intended for Mr. William A. Whitehead, Corresponding Secretary of the New Jersey Historical Society, written in 1848,* together with many notes from my Grandmother for the *then* (1863,) pastor, who was preparing a history of the Church : she being one of the oldest living members at the time and possessed of a remarkable memory.

* * * * * * *

As these things may be of interest to you, I send them on.

Remaining very respectfully,

A. D. SCHENCK, U. S. A.

THE NEW JERSEY CHURCH OF WARREN COUNTY, OHIO.

Received from A. D. SCHENCK, U. S. A.

This church owes its parentage to several churches in the State of New Jersey, whence its original members all came. Hence the name of New Jersey Congregation, or New Jersey Church, which was proposed by Dr. Benjamin DuBois, and accepted. About the year 1800, Arthur Vanderveer, of Freehold, N. J., came to the Miami Valley with two others, Wm. F. Buckalow and Wm. Francis, on a tour of observation, with a view to speculate in public lands. Having entered a large tract of land in this valley, west of Franklin, he returned to New

*See Proceedings, Vol. III, p. 133 for what was received then from Dr. DuBois.

Jersey after his family, and whilst there, it is supposed, induced his cousin Tunis D. Vanderveer (who was a member of the Old Dutch Presbyterian Church, near Freehold) to come out and look at the country, with a view to settlement. And accordingly, in the spring of 1805 he, with two others, Daniel DuBois and Dr. Benjamin DuBois (sons of the Rev. Benjamin DuBois for 63 years pastor of the Reformed Dutch Church of Freehold) came out to Ohio.

Through the representation and influence of these persons, many of their relatives and friends in New Jersey were within a few years induced to settle near them. Quite a company of Jerseymen arriving in June 1813, after a journey of four weeks, most of them settling in the "Jersey Settlement," but many of them on the other side of the river, in and near Franklin, among the former were the families of Hendrick Lane, George Lane, Wm. Schenck, Sidney Denise, John Denise, John McKean, Aukey Wikoff, Joseph Vannote, Peter Post, and others, most of whom came from Presbyterian Churches in New Jersey, among these the Old Dutch Church of Freehold, the Bound Brook Church, the Raritan Church, the Sourland and Old Tennent Churches.

On the 14th August, 1813, most of these settlers were assembled at the house of Wm. P. Barkalow, on the west side of the river, and nearly opposite Franklin, for the purpose of organizing a church; and transacted the following business:

1st. They resolved to form themselves into a congregation at the suggestion of Mr. Arthur Vanderveer.

2d. At the suggestion of Dr. B. DuBois it was resolved that this congregation be known as the New Jersey Church, in honor of the State from which they all came, and should be under the care and direction of the Presbyterian Church within the bounds of Miami Presbytery.

3d. That they apply to said Presbytery, at the next October meeting, for one half of the ministerial services of the Rev. Francis Monfort.

4th. That Hendrick Lane and Mr. Tunis D. Vanderveer be appointed to represent the congregation before the Presbytery and prefer their petition.

5th. That a call be made out for Mr. Monfort, and be presented at the next spring meeting of Presbytery.

6th. That Mr. Daniel DuBois and Jonas Bowman be sent to the Rev. Daniel Hayden to attend the congregational meeting, and preside in moderating a call.

7th. In consideration of the pastoral labors of Mr. Monfort, they promise to raise him \$150, in half yearly payments, and

8th. Proceeded to raise that sum by subscription, headed by Hendrick Lane, followed by George Lane, Tunis D. Vanderveer, Daniel DuBois, Dr. B. DuBois and others.

The commissioners presented their call on the 6th of October, 1813, which was granted, for one year. But besides preaching, they must have ordinances; and in consideration, as the record shows, "of their destitute situation with respect to gospel ordinances" they resolve "to present a call for Mr. Monfort at the next spring meeting of Miami Presbytery," and therefore the committee appointed to this duty waited on Mr. Hayden to secure his attendance on the election of elders, and to moderate a call. Accordingly, on the 2d of April, 1814, he was present in the Jersey Congregation, at the House of Tunis D. Vanderveer, when the congregation made choice of Messrs. Vanderveer and Zebulon Baird as ruling elders. The next day, at the house of Mr. Hendrick Lane, Mr. Baird was ordained to the office of ruling elder, Mr. Vanderveer being absent on account of sickness.

The next day, 4th of April, the congregation again met at Mr. Vanderveer's, and a call was prepared for Mr. Monfort, moderated by Mr. Hayden, and accepted by unanimous vote; Messrs. Vanderveer and Baird being appointed to sign the call. And Tuesday, 5th April, Mr. Hayden, who had attended these meetings, appeared in the Presbytery at Cincinnati, and on the evening of that day, Zebulon Baird, the first lay representative from this church, being present in Presbytery, also took his seat.

June 14th, 1814, the Rev. Presbytery of Miami met according to previous appointment, and ordained Mr. Monfort and installed him pastor of the congregation of New Jersey. And from the Presbyterial records, we learn that "agreeable to appointment, the Presbytery met in the New Jersey congregation, at the house of Hendrick Lane, and was opened with a discourse from 2 Tim., 1, 9, by Mr. Francis Monfort, a probationer for the gospel ministry," which was sustained as part of the trial.

After the completion of the examination, "Presbytery then attended to the ordination of Mr. F. Monfort. Sermon preached by Rev. Daniel Hayden, from Jer. III., 15. Mr. Francis Monfort was then solemnly ordained to the gospel ministry, the Rev. James Welsh presiding and giving the charge," after which Mr. Monfort was invited to take his seat as a member of Presbytery.

Up to this time the church had no memberships, save as the resolutions entered into on the preceeding 14th of August constituted a membership. The elders elected had been elected elders of the congregation; the pastor called had been called pastor of the congregation: and thus presented the anomaly of a pastorate and an eldership without a formal membership. Not until the 31st of July had the church actual membership, beyond the pastor and elders; save as the true people of God became the membership from the beginning, immediately upon resolving themselves into a congregation. "On the 3d of July, 1814, Tunis D. Vanderveer was ordained ruling elder in the New Jersey Congregation by the Rev. Mr. Monfort." The first received members were Mrs. Jennet Street, Abraham Street, and Sarah their daughter, July 31st, 1814; the first by certificate, the other two, probably, by examination. Also the wives of the two elders, Mrs. Rachael Baird and Mrs. Margaret Vanderveer, the latter a daughter of the Rev. Benjamin DuBois.

September 8th, 1814, being "fast day appointed by Government," and also observed "as a sacramental fast by the congregation," the session met previous to service and received, by certificate, the following persons: George Lane, Eleanor Lane, Hendrick Lane, Catherine Lane, Margaret Lane, and Cornelia Ten Eyck. On examination: Gilbert Lane, Ankey Wikoff, Anna Sutton, Maria Lane, and John McKean; and the day after were added by certificate: Peter Post and Sarah Post; and on examination: Mary Wikoff and Mary Denise. Sep. 11th, 1814, these twenty-two met for the first time to celebrate the Lord's Supper, at the house (or rather barn, the houses of those days being too small) of Hendrick Lane. On the 28th of the same month a request was made for an additional fourth of Mr. Monfort's time, which was granted, the remaining fourth being appointed to be spent at New Lexington. Ere this year expired, an addition was made to the Session. Michael Vantuyt, who had just been received as an elder from the Bound Brook Church of New Jersey, together with George Lane and Hendrick Lane, were elected 20th December, members of the session.

All that is known of the church for the next six months is that they met together frequently, at the houses or barns of the members. The most frequented place being the barn of Hendrick Lane, near what is now known as Steveson's Mill, and where Mr. Talmage lives.

Only two more members were received up to the time of the second communion, 18th June, 1815. Mrs. Jane Vanderveer, and Mrs. Sophia Vantuyt. Shortly after that time, the pastor's wife, Mrs. Sophia Monfort, was added by certificate.

About this time, the spring of 1815, the erection of a church was begun, but very little is known as to this work, as not a single entry has been made respecting the matter, and accurate facts have passed from the memory of the living.

Three sites were under contemplation : one on Wm. P. Barkalow's farm, opposite Franklin, another on the farm of Hendrick Lane, and the present site, consisting of two acres of land donated by Daniel DuBois. The building was modeled after the celebrated Old Tennent Church of New Jersey, and became known far and near as the finest building in the country. The cost was not considered, but each one did his share. Mr. DuBois furnishing the site, Tunis D. Vanderveer the frame work, George Lane the weather-boarding, Hendrick Lane the floor, Michael Vantuyl sawed the materials, John McKean built the pulpit, Dr. DuBois looked after the glazier, and each man furnished a bench as best he could, and afterward the seats proper, thus continuing the good work until some time in 1816, when they began to hold service in it.

Meanwhile they had held two communions, at the second of which they received four additional members, and Sep. 19th, 1815, had asked for the remainder of Mr. Monfort's time, which was granted. At the communion of 22d of Sep., 1816, four additions were made.

During the following year seven others were admitted to membership, among whom were Dr. Benjamin DuBois and Williamsby his wife, (a daughter of Peter Van Dorn and Jane Williamson his wife, of Freehold, N. J.) During this fall and winter worship could only be held part of the time, as no arrangement had been made for heating the church, and resort had to be made to their houses, or Mr. Lane's barn. When the latter was used, heaps of charcoal were laid in front of the pulpit, but which soon "smoked the worshippers out." At communion 28th Sept., 1817, were received Wm. D. Craig and Catherine Shepherd. January 21st, 1818, the church sustained the first loss of eldership, when George Lane suddenly died at the age of 62. In May two additions were made, and it was found desirable to increase the Session. Accordingly, John McKean, Peter Conover (a brother-in-law of Daniel and B. DuBois) and Aukey Wikoff were elected, and ordained 13th Sept. Mr. Monfort's pastorate continued until 4th April, 1821. Sept. 15th, 1820, Peter Conover died aged 51 years.

On 10th Feb., 1822, the Rev. John Ross preached for the first time, his call being moderated on the 1st of April, by Rev. Wm. Gray, and probably presented soon after ; but Mr. Ross was not installed until Nov.

19th, 1822, his pastorate terminating Oct. 6th, 1824, when for three years the congregation was without a regular pastor. Oct., 1826, Rev. Adrian Aten was appointed to supply the New Jersey Congregation one third of his time, the Franklin Congregation one third, and the other third being at his discretion, which arrangement was continued for one year. 17th August, 1827, John McKean died, aged 59 years. About this time the Sabbath-School was established.

Until 1830 the church had been under the Miami Presbytery, now however, it was, by act of the Synod transferred to the jurisdiction of the Oxford Presbytery.

On 30th April, 1831, Daniel DuBois and Samuel Maxwell were elected ruling elders, and on the following Sunday ordained. 22d Sept., 1833, the Rev. Mr. Aten preached his last sermon.

27th Sept., 1834, Hendrick Lane died, aged 74 years. 2d Sept., 1837 Tunis D. Vanderveer died, aged 66 years. 1846, Michael Vantuyl, Jr., was elected elder. 1851, the ladies formed a Bible Society. 1848, Michael Vantuyl and Zebulon Baird died, each over 70 years old. 1853 died Ankey Wikoff.

Oct. 8th, 1851, Dr. Benjamin DuBois died. He had been for many years after his arrival in 1805 the only physician in the settlement. At the age of 18 years he commenced the study of medicine, read 3 years, attending lectures on medicine and surgery in N. Y., Columbia College, and Hospital in N. Y. May, 1801, was examined by Drs. Scott and Smith of New Brunswick, they being medical examiners in the state of New Jersey, when he obtained his license, signed by Judges Andrew Kirkpatrick and Isaac Smith, Judges of the Supreme Court of New Jersey, and commenced practice in 1801, continuing to practice in New Jersey until 1805, when he removed to Ohio with his family, having been married 16th Feb., 1803, to Williamsby, daughter of Peter Van Dorn, born at Freehold, N. J., 3d April, 1784, and died at the residence of her only daughter Phebe J. Schenck, near Franklin, O., 13th Feb., 1866. He continued to practice for half a century. One of his first surgical operations after coming to Ohio was performed in connection with Dr. John Treon, of Miamisburgh, Montgomery Co., Ohio. A man had one of his limbs so crushed by the falling of a tree that amputation was absolutely necessary, but as yet there was not a set of surgical instruments to be had far or near. The limb must come off, or the man must die. A butcher's tools were called into requisition, and with his knife and saw the limb was successfully removed; the man recovered, and lived to a good old age, apparently no worse from the use of such

instruments than if those of finest make had been used. A few years before his death, Dr. DuBois was called to see a patient at the home of Mr. —, when he took dinner with the family, and with it, a dose of poison, intended by the servant for the special benefit of the family. His presence saved the lives of the members of the family, but he never entirely recovered from the effects of the poison, and for a long time insisted that his life would be shortened by it. Yet he lived to see his "three score and ten" before called from earth, honored and respected by all who knew him, kind and generous to all, and a good and perfect Christian.

He was descended from Louis DuBois, a French Huguenot, born in Artois, a province of French Flanders, who had to leave his country for conscience sake, going first to Holland, and thence to the New Netherlands, where he arrived in the year 1660, settling at Esopus. Unflinching in what he considered his duty to his God, he brought up his children in the fear of the Lord, which teaching was continued from generation to generation. His son Jacob removed to Pitts Grove, Salem Co., New Jersey, and, like the Doctor, was a prime mover and incorporator of a "church in the wilderness," and one of the Deacons of the Salem Church; his son Louis following his pious footsteps.

Louis' eighth son, Benjamin, became a minister of the gospel, and for 63 years was pastor of the Presbyterian Church, at Freehold, N. J., where his son, Dr. Benjamin, together with the rest of his children were born, and brought up, like their ancestors for generations before them, in the fear of God.

In 1858 died his brother Daniel DuBois, 80 years of age. Two years before his death, an attempt had been made to substitute a new place of worship, but it met with no favor with the "fathers" of the church, who were too much attached to the old building.

In 1863, however, most of these old patriarchs having gone the way of all flesh, the subject was again brought forward, and this time with eminent success, and now a fine brick church has been erected on the site of the old one, at a cost of some \$20,000—where the present generation may worship with more comfort, and probably less piety than their ancestors now, dead and gone.

LETTER FROM MR. EDWARD SALTER.

WASHINGTON, October 7th, 1871.

W. A. WHITEHEAD, Esq.,

DEAR SIR:—Seeing an item going the rounds of the papers referring to New Jersey as “a foreign State,” I thought it opportune to give what I believe to be the origin of the phrase. About thirty years ago I left Newark and went to Philadelphia, where I resided four or five years. In common with other Jersey men, I was frequently called a Spaniard or a foreigner. Some of the old merchants of the city who well remembered Joseph Bonaparte, and circumstances the relating to his settlement at Bordentown, gave me the version which I have published in the National Republican; as some of them were among those who first used and relished applying these epithets to Jersey men I am convinced of its correctness. Have you ever heard any different version?

Yours truly,

EDWARD SALTER.

“WHY NEW JERSEY IS CALLED A FOREIGN COUNTRY.”

“It may interest many to know what gave birth to such jokes at the expense of New Jersey as the following, which we find in an exchange:

“The proposal to make foreign born persons eligible for the Presidential chair, we understand, is advocated with the view that the people of New Jersey should enjoy the privilege according to the native born.”

“The origin of the allusions to New Jersey as a foreign country is said to be as follows: After the downfall of the first Napoleon, his brother Joseph, who had been king of Spain, and his nephew, Prince Murat, son of the King of Italy, sought refuge in this country, and brought much wealth with them. Joseph Bonaparte wished to build a palatial residence here, but did not desire to become a citizen, as he hoped to return to Europe. To enable him as an alien to hold real estate required a special act of Legislature. He tried to get one passed for his benefit in several states, but failed. He was much chagrined, especially because Pennsylvania refused. After this he applied to the New Jersey Legislature, which body granted both him and Murat the privilege of purchasing land.* They bought a tract at Bordentown, and built magnificent dwellings, and fitted them up in the most costly manner. Rare

*The Act was passed without special reference to them. See Proceedings, Vol. I. second series, page 115. ED.

paintings, statuary, &c., were profuse and selected with care, and the grounds laid out with exquisite taste.

“Joseph Bonaparte’s residence was perhaps the finest in America. Thousands of people visited it from all parts of the country, and were always treated courteously. He was profuse with his money, and gave a great impetus to business in the little town. The Philadelphians, finding that he had apparently no end of money, and that he used it to benefit business generally, regretted, when it was too late, that they had refused to let him locate among themselves; and, to make up for their mortification, would always taunt Jerseymen with having a king—with importing the King of Spain to rule over them; they were called Spaniards and foreigners on this account. But these taunts harmed no one, as the Jerseymen lost nothing by their allowing him to settle among them; and the term ‘foreigner,’ jokingly applied to Jerseymen, has come down to us long after its origin has been forgotten except by a few men of the past generation. Many years ago, during the reign of Louis Phillipe, we believe, both Bonaparte and Murat found they could safely return to Europe, so they sold out and returned.”

COMMUNICATION FROM MR. C. C. HAVEN.

* * * * *

I have only a few remarks to make in connection with a communication handed me by a member of this Society, Miss Sarah Smith Stafford, regarding the flag of our country used by Commodore Barry, in 1776, and also alluding to one that was used by Captain John Paul Jones, on board the *Bon Homme Richard*, which was rescued by her gallant father, James Bayard Stafford, and hoisted on Board the *Serapis* after she was captured in company with the Countess of Scarborough, as related in history. I present for your perusal Miss Stafford’s statements, and believe I can attest their credibility, as I have seen the flag used on board the *Alliance* by Captain Barry, and his original letter attesting the bravery and services of her father on many trying occasions. She has many interesting relics besides this flag in her possession, and as a chronicler connected with some of the most distinguished men and brilliant achievements in the war of the Revolution, she is eminently entitled to our respect and confidence. Those who are curious to read the report of her ancestral celebrity and patriotic achievements, are re-

ferred to its publication in the Proceedings of the Society in January, 1862.

Much conjecture still exists in relation to the origin and insignia of our star-bearing banner, which is now the glorious ensign of the independence and sovereignty of a free people. As a subject of pride and interest in our country's annals, its illustration in history is of importance. A new treatise upon its origin and emblematic devices, connected with records, songs and anecdotes concerning it, is now being prepared by Captain G. Henry Preble, an officer in the U. S. Service, at Charlestown, Mass., and I have been requested to give him what information I possess, regarding the flags used and preserved in New Jersey. As my first duty is to refer the subject to your consideration, I do so, with the following reflections.

You will notice that the flags alluded to in Miss Stafford's paper were used by Jones and Barry, before Congress issued the ordinances and laws respecting it. From some reports lately in circulation here, the first time that enactment of the Continental Congress was observed, was by Gen. Washington, in the critical and hurried stand he made, to repulse Cornwallis at Assunpink Bridge, on the 1st of January, 1777. Now at this conflict, which was the turning point in connection with what succeeded at Princeton, of the struggle for our Nation's independence, and the glorious consequences which have since followed, does not that remarkable baptism, with the regenerated hope and confidence there restored, seem providential? Freedom's vital spark was there rekindled, and our own country and the civilized world are now illuminated with its beams.

As to the origin of the honored emblems of the flag of our Union, and who suggested them, much has been conjectured and more may still be, without arriving at the exact truth. My own opinion is in favor of the supposition that, in some way, the devices on the family arms of Washington were known at the beginning of the war, and out of respect to the commander-in-chief, the stars and stripes were used by some few patriotic individuals, whilst some of the states had other emblems used in their service. But eventually the United States, by an enactment of Congress, sanctioned their general's adoption, adding to the number of stars as new states might be admitted. But whence the original emblems on the shield of the Washington family came, how they were derived, and what they designated, are questionable problems.

They were probably of Roman origin. Virgil speaks of "return-

ing to the stars," (*redire ad ostra*) implying a Home of Peace and Happiness, and we know the Romans worshipped the stars which bore the names of their gods.

They also used scourges producing stripes on the bodies of those they punished or terrified, to extort confession from.

From these symbolic antecedents, then, we may (I do not say we did) derive the design of our star-bearing banner, the heaven sent ensign of our "Union, freedom, and independence," with the stripes to be used in their defence as a scourge to our enemies and a terror to evil-doers, and may God long allow it, with increasing glory, "to wave o'er the land of the free and home of the brave;" not for its spangles or tasseled drapery, but for the glorious free principles it upholds, and the rights of popular sovereignty, peace, good order, and independence which it protects. As the palladium of the Union let it be the shield of each and all the states, and while each has its own Coat of Arms to be rightfully cherished, let all rally round the flag, with every State a fixed star. E Pluribus Unum.

C. C. HAVEN.

THE FLAG OF THE "BON HOMME RICHARD."

FROM MISS SARAH SMITH STAFFORD.

The ladies of the "Old Swedes Church," of Philadelphia, met together, and assisted by John Brown, Esq., Secretary of the United States Marine Committee, formed the flag that was used on board the "Bon Homme Richard," in the naval engagement with the British Ships of War, the "Serapis" and "Countess of Scarborough," on the 23d of September, 1779.

The presentation of the Flag was made to Captain John Paul Jones, by Misses Mary and Sarah Austin,* of Philadelphia, in behalf of the patriotic ladies of the city.

When the "Bon Homme Richard" was sinking, in the naval combat with the "Serapis," that flag was rescued, and Captain Jones went on board the American Ship of War Alliance with it, and it was used on said ship until the war ceased.

"The ship that James B. Stafford was attached to, was captured by a British Man-of-War, and re-captured by Captain John Paul Jones, of the "Bon Homme Richard," just before the encounter with the

* Commodore Barry was twice married, his first wife was Mary Burns, his second wife was Miss Sarah Austin, one of the ladies herein mentioned.

"Serapis" and "Scarborough," so in the space of ten days he was twice a prisoner of war, and volunteered in its service, where he received, in defending and securing the flag, a severe sabre cut on the left shoulder, which from unskillful treatment re-opened after a time, disabling both his arms, and occasioning him great suffering for years."*

At the close of the War, the frigate Alliance was sold to Robert Morris, the great American financier, and the vessel was re-fitted for a merchantman for the East India trade.

The Secretary of the United States Marine Committee, wrote to Lieut. James Bayard Stafford, "that the Marine Committee with the advice of "Commodore John Barry had decided that they would present to him "the "Flag," a "Tower Musquet," and the "Medicine Chest," on account of his risking his life, by nailing up the flag on board of the "Bon Homme Richard," when it had been cut down by a British "officer when the ships were lashed together," and by so doing, had his shoulder blade cut in two.

Those precious relics have been and are still retained in the family of Lieutenant James Bayard Stafford. The "Flag," the "Musquet" and the "Medicine Chest," are now in my possession, and have been exhibited to C. C. Haven, Esq., of Trenton, N. J., and many others of my friends for years past. The "Flag" is much injured, but still it shows thirteen strips and twelve stars, the number of States then confederated, the Musquet has the word "Tower" engraven thereon, with a crown, and the letters G. R. (for George Rex.) The Musquet weighs ten pounds and a half.

SARAH SMITH STAFFORD,

Only daughter of Lieut. James B. Stafford.

* * *In a subsequent communication Miss STAFFORD gives the following extracts from the Life of John Paul Jones, confirmatory of the facts stated in the foregoing paper.*

WASHINGTON CITY, January 17th, 1872.

C. C. HAVEN, Esq.,

SIR:—According to promise, I have looked over the life of Captain J. P. Jones.

The engagement took place on the 23d of September, 1779—the Bon Homme Richard engaged the Serapis—"both ships (the Bon Homme Richard and Serapis) were set on fire, the scene was dreadful beyond description."

* See report of Congress, 36th Congress, 1st Session

"Three of my under officers were timid, and the gunner run aft to strike the colors, when fortunately for me, a cannon ball had struck the flag staff and carried it away," (here I presume was the time when J. B. Stafford nailed it up, and in so doing was cut on the shoulder by a British officer, which prostrated him,) "the ships were lashed together," and Jones writes, if the *Serapis* had not been made fast to the *Bon Homme Richard*, she would have escaped. When the latter ship was sinking, Jones and his crew escaped to the *Serapis*, and he had command of her from the time the *Richard* sunk, until she was remasted and fitted for sea, at the Texel.

I observe that one of the Flags Captain Jones had, had no stars nor blue field, it consisted of thirteen stripes with a rattlesnake in a running position, somewhat similar to the flag of Virginia, that was used by that State during our revolutionary struggle.

FROM JAMES B. COLEMAN, M.D.

The enclosed telegram was received August 16th, 1858. in Trenton about four o'clock in the afternoon, by John H. Wright, Esq., on a House Telegraph Machine. This important message is the first that ever crossed the Atlantic. Mr. Wright was notified that the despatch would be sent. He substituted the silk strip in the place of the ordinary paper, wishing to preserve the first message in the most lasting form. It came and this is the result. Communication soon ceased by the first cable, and some years passed before another line was laid across the Atlantic, and telegraphing this great distance through the ocean became perfectly established.

Mr. Wright is one of the oldest operators in the country, having been twenty-two years in the service, and now the Active Agent at Trenton. of the Pacific and Atlantic Telegraph Company. In his behalf, and in his name, I present this reminder of the past, and the evidence of the progress of the Arts and Sciences in our day, to the New Jersey Historical Society for their benefit and safe keeping.

JAMES B. COLEMAN.

TRENTON, N. J., Jan. 18th, 1872.

The message is printed on pink silk, and reads as follows :

"LONDON, IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND FIFTY EIGHT. VALENTIA VIA TRINITY BAY. TO THE PRESIDENT OF THE UNITED STATES, WASHINGTON. THE QUEEN DESIRES TO CONGRATULATE THE PRESIDENT UPON THE SUCCESSFUL COMPLETION OF THE GREAT INTERNATIONAL WORK IN WHICH THE QUEEN HAS TAKEN THE DEEPEST INTEREST. THE QUEEN IS CONVINCED THAT THE PRESIDENT WILL JOIN WITH HER IN FERVENTLY HOPING THAT THE ELECTRIC CABLE WHICH NOW CONNECTS GREAT BRITAIN WITH THE UNITED STATES, WILL PROVE AN ADDITIONAL LINE BETWEEN THE NATIONS WHOSE FRIENDSHIP IS FOUNDED UPON THEIR COMMON INTEREST AND RECIPROCAL ESTEEM. THE QUEEN HAS MUCH PLEASURE IN THUS COMMUNICATING WITH THE PRESIDENT, AND RENEWING TO HIM HER WISHES FOR THE PROSPERITY OF THE UNITED STATES. VICTORIA, QUEEN OF GREAT BRITAIN."

MEMOIR OF THE LIFE AND CHARACTER
OF
JOHN RUTHERFURD

LATE PRESIDENT OF THE NEW JERSEY HISTORICAL SOCIETY.

BY ROBERT S. SWORDS.

One year ago we met in this place to elect a President of the New Jersey Historical Society, in the room of one whom death had taken from us after holding the office but little more than one year. To-day we meet again to mourn together over the loss of him whom we then elected, and to put another in his place. Does there not seem to be some strange fatality attending us?

At the January meeting in 1869, we elected Judge Richard S. Field to the Presidency of the Society, in place of Mr. James Parker, who having filled the position for three years, had been removed by death, at the age of ninety-three years, dropping as it were like ripe fruit into mother earth; and in January 1871, we assembled here to listen to Mr. A. Q. Keasbey, as with scholarly ability he rehearsed to us the distinguished public services of Judge Field, and in glowing words portrayed his character and eulogized his many merits. But one brief year has slipped by, and we have to mourn the death of Mr. John Rutherford, whom we then placed in the vacant chair. God grant that his successor may be long spared to preside at our deliberations.

In following our accustomed precedent, the duty and privilege has been accorded to me of gathering together a few facts concerning the life and character of Mr. Rutherford, to preserve among the archives of our Society, as a memorial of its fourth President. Had I to speak of one whose life had been spent in the public service, and to recount eminent services either in the field, in the legislative halls, on the bench, or in other official positions, I should in all gladness have yielded to a more practiced pen, but as the subject of this notice was

essentially a private gentleman, the task of writing a memoir of the deceased is a comparatively easy one. It is none the less grateful as being the tribute of a long and sincere friendship.

John Rutherford came of good old stock, of honorable lineage, and was, as were his ancestors before him, a thorough Jerseyman.

He was the son of Robert Walter and Sabina Morris Rutherford, and was born on the 21st day of July, 1810, at the residence of his maternal Grandfather, Lewis Morris, of Morrisania, Westchester County, New York. His paternal Grandfather, after whom he was named, was John Rutherford, a country gentleman and large landed proprietor, living on his estate at Edgerton, on the Passaic river, now known as Rutherford Park. He married the sister of Lewis Morris, the grandfather on the mother's side, thus making a double tie of consanguinity in the immediate ancestors of Mr. Rutherford. He was also well-known throughout the State as a man of public spirit. I find his name as a U. S. Senator in the Senate Journal of the First Session of the third Congress, which met in Philadelphia in 1793. His only son was Robert Walter, the father of our John Rutherford, which will account for his early life being spent in the house of his grandfather. A further knowledge of the family on the paternal side dates back to the great-grandfather, who was a British officer of the rank of Colonel, in the old French war; and letters are still extant in the family, describing his sufferings in the campaign on Lake Ontario and in Canada. In one of these he congratulates himself that he is faring better than his brother officers, as his Indian servant had cooked him a savory dish of Rattlesnake's meat. He married a sister of Lord Stirling, and the daughter of James Alexander, who filled so large a share in the Colonial History of both New Jersey and New York.

The grandfather of Mr. Rutherford on the mother's side was Col. Lewis Morris, a son of Lewis Morris, the signer of the Declaration of Independence. This maternal grandfather was the oldest of six sons, most of whom, excepting the youngest, joined the Continental Army on reaching the age of sixteen; the youngest fearing the war would close before he was of that age, joined when only fifteen. When the British forces entered New York, the officers took possession of Mr. Morris' country place, the family hastily escaping with their servants, horses and what furniture they could gather up, in a flat boat across the Hudson to Weehawken, and to Round Valley, Hunterdon County, where with two or three other families, (among them the ancestors of the late Edward Stevens, of Hoboken,) they remained until the close

of the war; a watch being constantly kept to warn the family in case marauding parties from the enemy should threaten their houses. Thus while this sturdy patriot was contending against the enemy with voice and pen in the Continental Congress, he sends his six sons into the field as soon as they can shoulder a musket—his family meantime, seeking refuge in a secluded valley among the Jersey hills.

Thus too, we see that Mr. Rutherford had born into him hereditary principles of patriotism and devotion of self to the good of his country. The sentiment of that day (unhappily, alas! almost extinct) that it is the duty of every man, as far as his means will permit, to do somewhat towards developing the material resources of his State and country, was largely Mr. Rutherford's by inheritance. It seems to have been instilled into him both by precept and traditionary example, and to have characterized him all his life. He did not seek for office or a sphere in which he might win the plaudits of men, for this kind of ambition formed no element in his character, but the retirement rather, of private life, in which he could devote himself and his means to the originating and promoting the internal improvements of his State.

Of the early life of Mr. Rutherford a very few words will give the history. He went at the age of two and a half years to live with his grandfather, John Rutherford, on the Passaic river, whose place called Edgerton, was situated on the east bank of the river, about seven miles above Newark, and as we have before stated, was the property which is now known as Rutherford Park. The old mansion existed until quite recently, when it was altered and enlarged for a hotel, and recently destroyed by fire. It was in its day the scene for the dispensation of elegant hospitality, and as such continued down to the death of Mr. Rutherford's mother, who was living on the place at the time of her death; soon after which the property was sold and passed out of the family. There are yet many old neighbors and former residents on the river who cherish very delightful recollections of this old mansion, and the pleasant and joyous times they have had within its hospitable walls.

Mr. Rutherford as a child, seems to have given token of some precocity of intellect. An extract from an old diary still extant in the family, will serve to illustrate the fact, as well as to give a small glimpse into the character of domestic life and education in rural districts half a century ago.

"July 21, 1817—John Rutherford, Jr., is seven years old to-day, and has commenced reading History with the Bible.

"July 24—Read an extract of Egyptian and Persian history, with some extracts in 3d volume of Rollins' "Belles Lettres."

A little further we find this entry, "Reading Goldsmith's Abridged History of Greece, and an Abridgement of Alexander's Life and Conquests from "Flowers of History"—We began Goldsmith's Rome, the number of the different states rendering Grecian History rather complicated for a child of seven years of age."

How many children of that age at the present day can read at all, or in reading are beyond the primer? In after life Mr. Rutherford was often wont to talk about these readings, and of his childish delight as seated on his Grandfather's knee in the evening twilight, he rehearsed him the stories he had read in the morning.

At nine years of age he was sent to school, at the Newark Academy then kept by Andrew Smith, a very respectable old Scotchman, and probably because the distance was too far for the young boy to go to and fro each day, he was placed at board with the family of his teacher, who lived across the Passaic, in what is now known as East Newark, on the Turnpike Road near to the crossing of the Morris and Essex Railroad, from which place he, in company with four other boys, walked in daily to the Academy, which then stood on the site of the present Post-office—a good mile in distance. From this school he was sent to the celebrated school of Dr. Brownlee, at Baskinridge, to be fitted for College.

The father of Mr. Rutherford had been educated at Nassau Hall, and was a gentleman of very elegant accomplishments. It was intended that John should also go to Princeton and be educated by the same venerable Alma Mater of his father; but here we have an early instance of his strongly marked character, and decision of purpose as impressed by nature herself:—One day he went to Princeton to pay a visit to an old schoolmate then in college, and living as the custom at the time was in "Commons"—but the boy, accustomed from his infancy to the observance of all the nice proprieties of refined life, took such a disgust at the scenes he witnessed among the youths at dinner, that he at once resolved he would look elsewhere for an education. Accordingly, and without consulting any one, he went to New Brunswick and applied for admission in Rutgers' College. After enduring the ordeal of an examination for two mortal hours, in a close room, by the Dutch Dominees who had charge of the Curriculum of that College, each one with his traditional long clay pipe in mouth, emitting volumes of tobacco smoke until the room was filled and they almost lost sight,

the boy was pronounced fit, and escaping from the room in a half stifled condition, he became a member of the Sophomore Class at the early age of fifteen years. In connection with this anecdote of tobacco smoke, we would add that Mr. Rutherford never got over his disgust for the habit, and was keenly sensitive to its annoyance to the day of his death. His intimate friends well know how great a trial it was to his courtesy and kind consideration for others, to endure the smoking of tobacco at dinners and other social occasions where he never would complain, but unselfishly sacrifice his own comfort to the pleasure of others.

At the age of eighteen he graduated, and soon after entered the law office of Mr. Elias Van Arsdale, in the city of Newark. After being admitted to the bar, and practising law for two years, he abandoned his profession to assist his Grandfather in the care and management of his large-landed estate. This was a training for him in a sphere which brought him in contact with many men of many minds, and gave him an experience that few men of his age possessed. Mr. Rutherford continued to live at Edgerton until the death of his grandparents, after which his two aunts, Misses Mary and Louisa Rutherford, built an elegant residence on the same bank of the Passaic, about two miles distant from Newark, which the refinement and taste of these ladies rendered conspicuous for all that is attractive in rural life. They removed here and Mr. Rutherford took up his residence with them; this place was known as "Eastridge," and though much smaller than the old mansion, worthily sustained its succession for refinement, elegance and generous hospitality. At this house Mr. Rutherford commenced his married life, but as he was but a private citizen, and his domestic life belongs only to his family, I forbear to intrude into its sanctuary. I will say, however, that it was while living here that the writer of this sketch first knew him, now nearly a quarter of a century past, and with his neighbors learned to appreciate and to love him.

Mr. Rutherford possessed remarkable executive ability. He had a far sighted vision as to the future of the State, and the success of the enterprises set on foot to develop its interests and its resources. His great self-control, his tact in management of all embarrassing questions, his whole souled generosity, his entire abnegation of self, and slowness to suspect anything wrong in the motives of others, caused him to be almost worshipped among his tenantry, and there was probably no one in the entire county of Sussex who had equal popularity with John Rutherford. Among his neighbors and friends on the Passaic he had

that hold upon their affections and respect, that when one spoke of him they were wont to say "John Rutherford ! he is one of nature's noblemen."

One of the favorite projects of Mr. Rutherford was the uniting of the waters of the Delaware and Hudson, by a continuous route of Railway ; this led him to originate the Warwick Railroad, which was commenced on the line of the Erie Road at Chester, and continued to the state line, a distance of ten miles.

He was also largely interested in the construction of the Pequest Valley Railroad, and was a Director and zealous worker in the Midland Railroad ; his counsels and energetic action in this corporation will be sadly missed.

He was President of the Tuckertown Railroad in Ocean County, where with other members of his family he was very largely interested in the Pine barrens, which are now giving place to cultivated lands, fulfilling and realizing the scripture prophecy—"the Desert shall blossom as the Rose."

He was also the President of the Council of Proprietors for the Eastern Division of New Jersey. He was an hereditary proprietor in this Board, and had been its presiding officer for many years : his influence in this body was so great, and the confidence in his inflexible uprightness and sound judgment so general, that he never failed by expressing his opinion to control the action of the board, no matter how divided the sentiment might be.

He was also the President of the New Jersey Coal Company, in which enterprise he felt a most decided interest, his faith in it being so great that he believed that from the value of their lands, and superior quality of coal, the company could not fail to become a very wealthy corporation.

He was also a Director in the Sussex Railroad, in which county was his home, at the town of Vernon—his residence being known as Maple Grange. It was here that he exercised his political franchise of voting. Beyond these official positions he had several others, such as a Director in the New Jersey State Agricultural Society, and in several financial Institutions. Last nor least he was the honored head of our own Society, in the prosperity of which, and in the promotion of its objects, he felt a deep interest, and to its funds was chief in liberal contributions. Many of the priceless manuscripts, documents, and literary curiosities contained in our Library, are the gifts of Mr. Rutherford and his family, and there is enough to-day in that Library to keep his name ever fresh

in grateful remembrance. He was elected a Member of the Society November 6th, 1845, and a Vice-President January 19th, 1865.

It will from all this be readily understood that he was no idle man; his versatile talents enabled him to devote himself with fidelity to every duty he assumed. His memory was tenacious to an extraordinary degree, and he was wont to depend upon it to an extent that hardly another man would have felt safe in doing. He never forgot a business engagement or failed to keep an appointment—in such matters he was the promptest of the prompt. There was probably no man in the state whose time was more entirely engrossed, and yet we have the noteworthy fact to record that he never brought his business affairs into his family. When he was at home he gave himself to his family, and to the true enjoyment of an emphatic Happy Home.

In his dealings with his fellow men he was not only scrupulously just, but generous to a degree which would justify the expression "Empty of Self." No friend ever appealed to him for sympathy or aid in vain. He was as well versed in what is called knowledge of the world, and in a thorough understanding of human nature as any man—he had mingled too long and too much in the world for this to be otherwise, and yet he was so free from guile in himself, that he was very slow to suspect the motives of others. If in friendly offices, or beneficiary acts for others he discovered ingratitude, bad faith, or deception in return, he found consolation in the approval of his own motives and the good he had done. No man could be more simple and unaffected in manner, and yet so careful was he of wounding the feelings of others, that in most cases where he had the right to be severe, he preferred silence to speaking out what he felt within him.

It is an old maxim "*de mortuis nil nisi bonum*," there are some who would read "*verum*" for "*bonum*," but in eulogising the character of Mr. Rutherford the maxim may be complied with to the letter in either form of the phrase, for there is nothing but good to be told.

In writing this Memoir, as the subject is the life and character of a most estimable and worthy private gentleman, and the good citizen in all his relations; and as this sketch is intended for his many friends rather than for the public eye, I cannot follow him into the sanctuary of his domestic life without a breach of privilege.

I am conscious that what I have done is but feeble and imperfect, but I feel equally sure that those who knew him best, will bear witness that any words of eulogy contained in this paper have not exaggerated, but

have, if anything, fallen short of what might in justice and truth be written.

Mr. Rutherford's last sickness was sudden and severe. He came from Newport early in the fall suffering from an attack of Malarious Fever, complicated with the beginning of the painful malady which was to end his days. He remained a few days at his city residence in Newark to recuperate and be under the advice of his physician. As soon as he felt able he returned to his country home in Sussex, and in the pure air he there breathed he improved slightly and was enabled to ride about the country. Being advised to return to Newark, where he could receive more attention and higher medical skill, he started on his return, and on the night of his first day's journey was taken alarmingly ill at the house of a friend. After reaching Newark his malady soon assumed the most serious and alarming form—day by day his sufferings grew more intense—his naturally powerful frame and strength of constitution enabled him to endure what any other man of less strength would have succumbed to at once—what his sufferings were no mortal tongue can tell—of his heroic and patient endurance his faithful physicians and the loving ones that ministered to him can abundantly testify—the struggle between nature and disease was most formidable and obstinate but at last the strong man had to yield, nature worn out and exhausted gave way, and on the 21st day of November, at about 8 o'clock in the morning, Mr. Rutherford breathed his last, conscious to the extremest moment, and was "gathered unto his fathers, having the testimony of a good conscience ; in the communion of the Catholic Church, in the confidence of a certain faith, in the comfort of a reasonable, religious, and holy hope ; in favor (as we devoutly believe) with his God, and in perfect charity with the world."*

His funeral took place from Trinity Church, Newark ; the large assemblage present, and the manifestations of genuine grief giving evidence that it was no ordinary occasion.

He was buried in the yard of Christ Church, Belleville, where are interred the remains of his father and mother, his aunts the Misses Rutherford, and one of his own children ; in this church he had grown up and became a communicant, and was for many years a vestryman, and frequently represented the parish in the Diocesan Conventions of the Episcopal Church in the State.

*Office for "The Visitation of the Sick," in the Book of Common Prayer of the Protestant Episcopal Church.

THE CIRCUMSTANCES

ATTENDING THE ELECTION

OF

WILLIAM PENNINGTON,

OF NEW JERSEY,

As Speaker of the Thirty-Sixth Congress.

READ BEFORE THE NEW JERSEY HISTORICAL SOCIETY,

January 18th, 1872.

BY HON. JOHN T. NIXON,

Judge of United States District Court,

ELECTION OF WILLIAM PENNINGTON

AS SPEAKER OF THE THIRTY-SIXTH CONGRESS.

To trace results to their hidden causes, is one of the objects and aims of history, and nothing more clearly illustrates the presence of God in history, than to observe the great consequences, which often follow the use of seemingly trivial means.

The fall of an apple and the cackling of geese, are not striking events in nature, and yet, the one suggested a train of thought to the philosopher, which led to the discovery of the laws of gravitation, and the other, disturbed, and perhaps changed the current of history, by saving the nation which was to mould the institutions and control the destinies of mankind, from premature subjection to a hostile power.

The world knows that the contest for the election of Speaker, at the opening of the Thirty-Sixth Congress, was one of the most remarkable and exciting in our national history, and that it resulted in the choice of William Pennington, of New Jersey; but the world has never heard the secret history of the events which attended the progress of the long contest, nor considered their connection with the development of a public sentiment, which, in the following year, culminated in the most gigantic and causeless rebellion of all the ages.

The object of this paper is to give a statement of the circumstances attending the election of Governor Pennington as Speaker, and to explain the causes and trace the influences which led to it. In order to relieve the recital from the charge of egotism, it is proper to remark that the writer's connection with the contest was solely the result of his peculiar political affiliations, and of his supposed personal relations with his colleague.

To fully understand the contest, it will be necessary to advert to the condition of the political parties of the country at that time.

The Congress met on the 5th day of December, 1859. The members had been chosen at the first general election that had been held, after the Kansas policy of Mr. Buchanan's administration was fully developed.

It became evident at once that there was a decided majority of the House against the administration, but the opposition was composed of such different and discordant materials, that it seemed impossible to amalgamate them by uniting their vote upon any one candidate. Thus, the House consisted of two hundred and thirty-seven members; one hundred and nine of whom were Republicans; twenty-seven Americans; thirteen Anti-Lecompton Democrats and eighty-eight Administration Democrats. The Republicans, Americans and Anti-Lecompton Democrats united in opposing the administration, but upon different grounds. The Anti-Lecompton Democrats supported its general measures, but opposed its policy on the slavery question in the Territories. The Americans were principally old Whigs, who, upon the disbanding of that party after the Presidential election of 1852, had supported Mr. Fillmore in 1856; refusing for various reasons to endorse the nomination of either Fremont by the Republicans, or Buchanan by the Democrats. These also were divided amongst themselves upon the slavery question; those from the North affiliating with the Republican party, and those from the South, with the exception of Henry Winter Davis of Maryland with the Democratic party. The first vote for Speaker on the first day of the session also revealed the fact that the materials of which the Republican party was composed, were by no means homogeneous. John Sherman received eighty-six votes, and Galusha A. Grow, of Pennsylvania, forty-three; the former being the candidate of the conservative, and the latter of the radical Republicans. This organization, then young and animated with the controlling purpose of preventing the spread of slavery in the Territories of the United States, by Congressional legislation, had been made up of recruits from the old Whig party, the Democratic party and the Abolitionists. Sherman, receiving the support of such men as Pennington, and Corwin, represented one type of opinion and Grow, an honest man of earnest convictions, and the favorite of such men as Fenton, Spinner and Thaddeus Stevens, was the candidate of the more radical element of the party.

Thus the parties stood at the beginning of the session. The regular Democrats and the Americans harmonized in their opposition to the Republicans upon the slavery question, but agreed in nothing else. The Republicans and Anti-Lecompton Democrats had only one sentiment in common, and that was hostility to the administration, which, as was alleged, had surrendered itself to the control of the Southern wing of the organization.

The bitterness of the contest for Speaker grew out of the feeling of the country, and the excitement of the parties upon the slavery question. This feeling had been greatly intensified, and the excitement aggravated, by the raid of John Brown and his followers at Harper's Ferry, in Virginia, about two months previous to the assembling of Congress. The people of the South very naturally regarded this silly and wicked attempt on the part of crazy enthusiasts to excite insurrection among the slaves, as the direct result of the organization of the Republican party; and the attempt was made at once to hold all the members of that party responsible for this unwarrantable invasion of the soil of Virginia.

One ballot for Speaker was had on the first day of the session. Mr. Bocoek of Virginia, the Administration candidate, led the other candidates, and received eighty-six votes; Mr. Sherman came next and had sixty-six, and was followed by Mr. Grow, with forty-three; fourteen of the South Americans cast their ballot for Alex. H. Boteler, of Virginia. The Anti-Lecompton Democrats and the remaining Americans scattered their votes amongst a number of candidates. So intense was the feeling that the courtesy usual upon such occasions, of the different candidates voting for each other, was not observed; Mr. Bocoek casting his ballot for Mr. Phelps, of Missouri, and Mr. Sherman for Gov. Pennington of New Jersey.

As soon as the result of the vote was announced, Mr. Clark, of Missouri, carrying out what was understood at the time to be a pre-arranged programme, took the floor and offered for the consideration of the House this resolution :

WHEREAS, certain Members of this House, now in nomination for Speaker, did endorse and recommend the book hereinafter mentioned.

Resolved, That the doctrines and sentiments of a certain book, called "The Impending Crisis of the South—How to meet it"—purporting to have been written by one Hilton R. Helper, are insurrectionary and hostile to the domestic peace and tranquility of the country : and that no member of this House, who has endorsed and recommended it, or the compend from it, is fit to be Speaker of this House."

The resolution was aimed at Sherman and Grow, who, in the month of March previous, with sixty-six other members of the House of Representatives, had signed a certificate, endorsing the publication of a compendium of Helper's larger work, for gratuitous circulation through the country. Its introduction was at once opposed by Thaddeus Stevens upon the ground, that except the motion to adjourn, nothing was in order, but a motion to proceed to ballot for a presiding officer, and that

the members could entertain no other question until a Speaker had been elected. The Clerk, Mr. James C. Allen, of Illinois, declined to decide the question of order thus raised, but agreed to submit it to the House for decision, and ruled that the question was debatable.

The flood gates of talk were thus opened, and for eight weeks a continuous stream poured forth. All shades of political views were represented, and found able advocates and opponents upon the floor. The repeal of the Missouri compromise : the Fugitive Slave law : the re-opening of the African Slave trade : the right of secession : the Tariff : questions of local politics : the objects and aims of the Republican organization : the relations of the Anti-Lecompton or Douglas Democrats to Mr. Buchanan's administration : the tenets and duties of the American party—then holding the balance of power in the House—were all investigated, discussed, applauded or condemned, according to the sentiments or affiliations of the different speakers.

Then, for the first time, the writer heard the sentiment publicly avowed, from day to day, that the election of a President of the United States, according to the forms of law, would, under certain circumstances, justify the South in seceding from the Union. In an able and carefully prepared speech, made on the sixth day of the session, Mr. Curry, of Alabama, a gentleman of character and culture, and now a leading clergyman in the Southern Baptist Church, said, "However much it may revolt the public sentiment or conscience of this country, I am not ashamed or afraid publicly to avow, that the election of Wm H. Seward, or Salmon P. Chase, or any such representative of the Republican party, upon a sectional platform, ought to be resisted to the disruption of every tie that binds this confederacy together;" and this sentence, calmly uttered, was received with rounds of applause from his side of the chamber.

Two days afterwards, Mr. Hickman, of Pennsylvania, replied to such treasonable utterances, in a speech rarely equalled in public assemblies, for intellectual vigor, or oratorical power. He immediately commanded the attention of the House, partly from the fact that he was the first one on the northern-side, who met the southern members with their own weapons of threat and bravado ; and, partly, because he had not yet formally severed his connection with the Democratic party. His manner was calm and repressed, and yet, beneath the apparent calmness, every one could perceive the intensity of feeling under which he spoke. The climax of excitement was reached at the close of his remarks, when, amidst the silence of the House, so profound as to be almost painful, he

said, "I know many men have been alarmed in times past at the cries of dissolution ; but I have never yet seen a northern man who expressed any alarm at the results of a dissolution of the Union. I will state what my conviction is on the subject. I do not know, however, that I thoroughly understand what is meant by a dissolution of the Union. If it means a dividing line of sentiment between the North and the South, and virtual non-intercourse, we have reached that dissolution already ; for northern men cannot now travel in the south, and, as I understand it, any Post-Master in any village of the south, where the receipts of the office would not amount to five dollars, can, if a letter bearing my frank goes into his hands, open it, examine it, and burn it, on the pretext that it is incendiary. Sir, we have reached that dividing line between the north and the south. But if dissolution means that there is to be a division of the territory, by Mason and Dixon's line, or any other line, I say, "No, that will never be. I express my opinion—and that opinion may go before the country, whether false or true—when I say, "*No,—the North will never tolerate a division of the territory.*"

Here Mr. Gartrell, of Georgia, sitting in his seat, sarcastically inquired—"I should like to know how you are to prevent it?"

"I will tell you how it will be prevented. I am neither the prophet nor the son of a prophet ; but I express my belief that there is as much true courage in the North, tho' it may not be known by the name of chivalry, as there is in the South. I do not use the word contemptuously, for I admire chivalry everywhere. There is as much true courage at the North as there is at the South. I have always believed it, and therefore I will express it ; and I believe, sir, with all the appliances of art to assist, eighteen millions of men reared to industry, with habits of the right kind, will always be able to cope successfully, if it need be, with eight millions of men, without these auxiliaries."

The expression of such an opinion from such a man, created a profound sensation at the time. It was followed by an immediate outbreak of applause and hisses from all parts of the hall and galleries.

The tedium of debate was varied now and then, by a vote for Speaker, and each ballot would seem to bring to the surface some new expression of sentiment or new political combination, which furnished topics for renewed discussion.

The Republicans at the outset, refused to be drawn into the debate, holding that nothing was in order, except to vote for Speaker ; but after two or three weeks of silence, Mr. Farnsworth, of Illinois, against the earnest protest of his political friends, entered the arena, and from

that time until the end of the contest, they freely participated in the discussions.

Whilst the friends of Sherman steadily voted for him until he formally withdrew his name, his opponents changed their candidate from time to time, as they supposed that successful combinations might be made to defeat the Republican nominee. The Administration party nominated and supported, successively, McClelland, of Illinois, Millson, of Virginia, Scott, of California, Maynard, of Tennessee, Vallandigham, of Ohio, Hamilton, of Texas, and Wm. N. H. Smith, of North Carolina—hoping to unite upon some one of these, the Anti-Administration Democrats and Americans, who were unwilling to vote for Mr. Bocock, their regular candidate.

It became manifest early in the contest that Mr. Sherman could not be elected, of which fact no one seemed more conscious than Sherman himself. Complaints were made by the newspapers of the country, and by persons outside of the House and ignorant of the true condition of affairs, because he allowed his name to be voted for by his friends, thus protracting a fruitless struggle, than which nothing could be more unjust to him. He frequently expressed to the writer and to other friends a desire that his name should be withdrawn, and the understanding for weeks was, that it would be as soon as it became probable that any other candidate could succeed.

A number of the more modest Republicans, principally in the Pennsylvania and New Jersey delegation, would frequently cast their votes for John A. Gilmer, of North Carolina, as a national man of sound conservative views, and hostile to the general policy of the administration. But he did not prove acceptable to the extreme men of either side, and the attempt to unite upon him was at length abandoned.

After weeks of balloting without definite results, a careful survey of the House revealed the fact that two or three votes above the number that could, by any possibility, be obtained for him, were necessary to elect Mr. Sherman. Could this number be had for any other Republican candidate? If so, who was the man? Henry Winter Davis, of Maryland, and George Briggs, of New York, had repeatedly said that they were ready to cast their votes for either William Pennington or Thomas Corwin, whenever, by so doing an election could be secured. These last named gentlemen were understood to be within the Republican organization, but they were old whigs of moderate convictions, and had supported Mr. Fremont for President, rather as a choice of evils than because they had any fervent sympathy with the Anti-Slavery aims

of the party. Messrs. Adrain and Riggs, of New Jersey, Anti-Lecompton Democrats, made a similar promise to their colleagues as to Governor Pennington, so that if the members, who had at various times voted for Mr. Sherman, could be induced to unite upon Pennington, the contest would be ended.

But just here was the difficulty. Some fifteen or twenty of these supporters of Sherman, publicly avowed their determination to continue to vote for him at all hazards and under all circumstances. These gentlemen felt, and justly, that their candidate had been unfairly treated; that there was nothing in his past record which justified the course that his opponents had taken in reference to his signing the recommendation to the proposed compendium of Helper's work, and that he had made as full an explanation of the act as any gentleman ought to make, whilst menaced by Clark's resolution of censure. Thaddeus Stevens was the most prominent of these, and he frequently declared that he should stand by Sherman, "until somebody was elected, or *until the crack of doom.*"

Thus matters remained at a dead lock for weeks, the probabilities of the organization of the House growing more remote, and the duty of it becoming less and less a motive of action, as the personal bitterness of the members, and the rancour of party increased.

Nearly all of the Pennsylvania and New Jersey delegation in the opposition had been nominated and elected by a political organization, known as the People's Party. It was not distinctively Republican or American, but was a combination of both, to express the popular discontent with the policy of Mr. Buchanan's administration. Horace Greeley pretty well characterized it, when he said that it was composed of old whigs slightly varnished over with Republicanism. These members had cordially supported Mr. Sherman, as more nearly representing their political principles than any other of the candidates, so long as there had been any hope of his election. As Governor Pennington had stood upon their platform before the people, they felt kindly disposed towards him, and had informal conferences from time to time to devise means for centring the Republican vote upon him.

On the 25th of January, when the thirty-fifth ballot was taken, a portion of the Americans cast their vote for Wm. N. H. Smith, of North Carolina. Mr. Smith was a new member, unobtrusive and quite unknown to his fellow members; but his colleagues represented him to be a gentleman of character, intelligence and worth, firmly a whig, elected as an American, and hostile to the administration. It was a

significant fact, observed at the time, that when his name was first presented, Mr. Clark, of Missouri, the author of the Helper Resolution, Prior, of Virginia, and Keitt, of South Carolina, with a few other Democrats of the same extreme sort, voted for him.

Three more ballots were had the next day—the vote for Mr. Smith gradually increasing from the Democratic side. Circumstances rendered it apparent that the South Americans and the Democrats were reaching and approaching to an understanding, that when the whole American vote should be cast for Smith, the Democratic members would go over to his support, and thus defeat the Republican nominee. Upon the adjournment that day, the most active negotiations were observed between these parties, and members went to their homes with the presentiment that the morrow was pregnant with decisive results.

The friends of Pennington felt that at length their time had come, and prompt action was taken. Those Republicans who persisted in adhering to Sherman, were formally notified that, unless he were withdrawn, in accordance with his express wishes, in favor of either Pennington or Corwin, enough votes would be given to Smith on the next ballot, from Pennsylvania and New Jersey, added to the American and Democratic vote to elect him Speaker, and upon them must rest the responsibility of allowing the organization upon any other than a Republican basis. The notice was received by some of these gentlemen as a harmless menace rather than a faithful warning, and the next morning, on the 39th ballot, Sherman still had the bulk of the Republican vote.

When this ballot was taken, there was an understanding between the writer and a part of the Pennsylvania delegation, that their votes should be given to Mr. Smith. Accordingly, upon the first call of the House, Smith had about sixty votes, including the twenty-three Americans, Messrs. Junkin, Milward, Edward Joy Morris, and Scranton, of Pennsylvania, and Nixon, of New Jersey. As soon as the roll was called through, Mr. Mallory, of Kentucky, (American) took the floor to say that they had now received enough votes for their nominee, to ensure his election by the aid of the Democratic vote. "I now announce," he said, with his full, ringing voice filling every part of the hall, "to gentlemen on the Democratic side, to the House, and to the country, the fact, that in view of this state of the case, we will again present Mr. Smith, of North Carolina, as our candidate for the speakership, upon the next ballot. Every member of our party has voted for him. That was the condition precedent, I understand, prescribed upon the other

side of the House, for obtaining their votes. Even now if they will rise in their places before the result is announced and change their votes, they may make Mr. Smith speaker of the House, and the Republican party will thereby be defeated."

This speech was followed by the most enthusiastic applause, and the Democrats who had voted for Bocock upon the first call, immediately began to change to Smith. As one after another arose in quick succession and made the change, the excitement became intense, and the Republicans seemed for the first time to awake to the consciousness that the election of Smith was probable. They became alarmed and commenced their personal appeals to the Pennsylvania members and to the writer, who had supported Smith, to withdraw their votes. Two more changes on the Democratic side would elect Mr. Smith. A crowd of Americans and Democrats was pressing around Martin, of Ohio, Cooper, of Michigan, and Barr, of New York, imploring them to end the long contest by voting for Smith. They finally yielded, and announced their change of vote with such rapidity, that deafening shouts of applause from the Democratic side was the first assurance to the Republicans that Smith was elected by two majority. But before the Clerk had opportunity to announce the result, Junkin, of Pennsylvania, sprung to the floor, withdrew his vote from Smith, and cast it for Sherman. He was quickly followed by Scranton and Morris, each of whom changed to Corwin. This left Mr. Smith again short one vote, but all hope was not gone, as John G. Davis, of Indiana, who had heretofore resolutely resisted all entreaties to vote for Smith, began to exhibit signs of yielding to the importunities of his friends. In the mean time no mere word-painting could describe the scene on the Republican side. They were frantic with excitement. Numbers of them appealed to the writer to withdraw his vote from Smith. He had one answer for them all, "that the vote would stand as recorded until Smith's election, unless Sherman was withdrawn as the Republican candidate."

Owen Lovejoy, of Illinois, a genial and upright gentleman of strong convictions, and who had heretofore been most tenacious in adhering to Sherman, came to the writer's seat, pale with excitement and trembling with emotion, and made the appeal, "For God's and the Country's sake change that vote."

"Never, Sir," was the reply, "except upon one condition."

"What is the condition?"

"That Sherman is withdrawn as a Candidate."

"It shall be done."

"You answer for yourself, and that is not satisfactory."

"What would be satisfactory?"

"John Sherman's pledge of personal honor from his own lips that his name shall not be voted for, after to-day, for Speaker."

Lovejoy hastened to find Mr. Sherman, and shortly returned exclaiming, "Sherman gives the pledge."

At the same moment, Davis, of Indiana, rose to address the Clerk, intending, as was supposed, to change to Smith. But before he got recognition the writer succeeded in withdrawing his vote from Mr. Smith, and putting in nomination his colleague, Gov. Pennington.

This change took away the last hope of electing Mr. Smith, afforded instant relief to the Republicans, and corresponding disappointment and chagrin to the Democrats and Americans.

It was Friday, and as the Republicans wanted time to re-organize their somewhat demoralized ranks, and resurvey the field of conflict in order, if possible, to make a new change of front—the motion of Thaddeus Stevens to adjourn over until Monday, prevailed by a majority of three.

Mr. Sherman, before adjournment, gave notice of a conference of his friends and supporters, in the Hall, on the morrow at 12 M., and the members again went to their homes, sullen or jubilant, according to the manner in which they regarded the results of the day's proceedings.

On the next day, at the appointed time, the writer went to the conference called by Sherman, and found a crowded assembly already organized, with Charles Francis Adams in the chair. An opportunity being at once offered, he proceeded to explain his position and the motives of his course. He stated that his desire was to effect the organization of the House, by the election of a Speaker; that the proceedings of the last eight weeks had demonstrated the impossibility of electing Mr. Sherman; and that a Republican organization could be substantially secured by the union of the Republican vote upon Pennington; that two of his colleagues (Adrain and Riggs) were Anti-Lecompton Democrats, who would not and ought not to be expected to vote for Mr. Sherman, but they had expressed their readiness to cast their ballots for their colleague, when his success could be rendered certain by their support; and that in addition to these votes Henry Winter Davis, of Maryland, and George Briggs, of New York, had given the same assurances to the speaker. He concluded by putting Gov. Pennington in nomination. The nomination was seconded by Thaddeus Stevens in a brief, cordial, and characteristic speech. "Mr.

Chairman," he remarked in conclusion, "I have said that I should continue to vote for Sherman until the crack of doom. *I heard that crack on Friday last!*"

Mr. Roscoe Conkling, then a Representative and now a Senator, from New York, followed in an impetuous speech and opposed the withdrawal of Sherman. He did not recognize the right of a small minority to dictate to the great body of Republicans whom they should support for speaker. Others might take their course and vote for whom they pleased; but he expressed his own views and the views of friends around him, when he gave notice that they would not be bound by the action of the conference to transfer their votes from the candidate whom they preferred, to others whom they might not prefer.

Sherman promptly replied in his frank, manly way, that his name must be withdrawn, and that whilst he was thankful to his friends for their support and confidence, he had been convinced for weeks past that the use of his name had been an obstacle to the organization. After detailing the circumstances under which he had given the pledge to the writer on the previous Friday, he said, "My personal wishes in this matter may not influence members, but a sense of duty to myself constrains me to say that no one can vote for me hereafter with my consent, and continuing to vote for me after my withdrawal would seem to be an impeachment of my personal honor."

This settled the question of his further support, and the conference adjourned with the understanding that the Republican vote should be given to Pennington at the meeting of the House, on Monday.

Monday came, and a general expectation that an election would take place had brought crowds of spectators to the gallery and upon the floor. Some time was spent in clearing the Hall of persons not entitled to the privileges of the floor. The 40th ballot was then ordered, but before the roll-call commenced, Mr. Sherman, amid profound silence, formally withdrew his name as a candidate.

"Eight weeks ago," said he, "I was honored by the votes of a large plurality of my fellow members for the high office of speaker of this House. Since that time they have adhered to their choice with a fidelity that has won my devotion and respect, and, as I believe, the approbation of their constituents. They have stood undismayed amidst threats of disunion and disorganization, conscious of the rectitude of their purposes, warm in their attachment to the Constitution and Union, and obedient to the rules of order and the laws."

And then, alluding to the fact that the friends of the administration

had revived anew the fires of sectional discord, and had publicly pronounced in favor of disunion in the event of the election of a Republican President, he continued, "I should regret exceedingly, and believe it would be a national calamity, to have any one who is a supporter, directly or indirectly, of this administration, or who owes it any allegiance, favor, or affection, to occupy a position of importance or prominence in this House. It would be, it seems to me, a fatal policy to trust the power of the House to the control of gentlemen who have proclaimed that under any circumstances, or in any event, they would dissolve the Union of these States. * * * I said here a few days ago, and I have always stood in the position, that when I became convinced that any of my political friends or associates could receive further support outside of the Republican organization, I would retire from the field and yield to him the honor of the position which the partiality of friends had assigned to me. I believe that time has now arrived. I believe that a greater concentration can now be made upon another gentleman, who, from the beginning has acted with me. Therefore, Mr. Clerk, I respectfully withdraw my name as a candidate, and, in doing so, return my heart felt thanks for the generous and hearty support of all my political friends, and especially to those gentlemen with whom I have not the tie of a party name, but the higher one of a common purpose and sympathy. And if I could ask of them one more favor, it would be that in an unbroken column, with an unfaltering front, and an unwavering line, they will cast their votes in favor of any one of our number that can command the highest vote and be elected speaker of this House."

The roll was then called, and Gov Pennington received all the votes that had at any time been given to Sherman and that of his colleague Adrain, in addition. But he was three votes short of an election, as he had, inadvertantly, voted for Mr. Corwin, which was, in effect, a vote against himself. Upon this ballot Mr. Riggs declined to support his colleague, on the ground that his vote would not elect him. The Americans and Democrats still voted for Smith, thus holding Winter Davis and Briggs, who had participated in the American Caucus that put him in nomination, and who felt bound in honor to stand by him as long as he continued a candidate. Two other ballots were taken that day, but without definite results. On the 41st, Pennington withheld his vote, and was within two of an election. On the 42nd, Riggs came over to his support, and then he lacked only one vote. The urgent appeals made to Mr. Briggs to redeem his promise, compelled him to explain

his position. He acknowledged that he had agreed to vote for Pennington when his vote would elect him, but that was previous to the preceding Friday, on which day he had attended the American caucus, and had committed himself as a party man to the support of Mr. Smith. He, however, publicly intimated that when all reasonable hope of electing the American candidate should be lost, he would consider himself emancipated from any pledge to vote for him, and would cast his vote for Mr. Pennington, unless some other more acceptable candidate was before the House.

In this condition of things, the House adjourned to the next day. It was evident to all that the end had now come and Pennington would be elected, unless something could be done to withdraw from his support certain Anti-Lecompton Democrats, and particularly his two colleagues, Adrain and Riggs. In order to accomplish this it seemed necessary to drop Mr. Smith, and to concentrate, as far as possible, upon some Northern Democrat of Anti-Lecompton proclivities. After much caucusing, McClernand, of Illinois, a strong supporter of Douglas was agreed upon.

Accordingly, upon the meeting of the House, next morning, Mr. Smith in a neat and appropriate speech, withdrew his name, and Mr. Reagan, of Texas, an Administration Democrat, and subsequently the Postmaster-General of the Southern Confederacy, put McClernand in nomination, offering him as a compromise candidate for the support of Americans, Anti-Lecompton and Regular Democrats. Upon the roll-call, Adrain, Haskin, Hickman, Reynolds and Schwartz, Anti-Lecompton men, adhered to Pennington against this new temptation. When Henry Winter Davis was called, he cast his vote for the Republican candidate—an exhibition of moral courage in the then condition and state of the Southern public mind as extraordinary as it was rare. The showers of applause and hisses which greeted him from all parts of the House and the galleries indicated the impression that the contest was over. But it was not over. When Dr. Riggs' name was reached, to the surprise of everybody, he voted for McClernand, saying that he could not support Gov. Pennington against an Anti-Lecompton Democrat. Briggs also, on that call, refused to follow Davis, alleging that he was bound, as a matter of courtesy to the Democrats, to cast one vote for their candidate, in consideration of the cordial support which they had extended to the American candidate. It being understood, however, that upon the next vote he was willing to change to Pennington, the Democratic leaders resolved that no other vote should be taken on that

day. After hours of fruitless effort—the minority using the well-known parliamentary tactics, so effective in the hands of the few—to hinder any business from being done, the House was compelled to adjourn without a ballot.

Long before the hour of meeting next day the Capitol was thronged with people, anxious to witness the termination of the exciting and weary contest. Crowds filled every available space of the Hall. The writer was designated one of the tellers in the place of Mr. Briggs, to allow that gentleman ample opportunity to act the conspicuous part in the organization of the House which he seemed to crave. The roll was called, and again Briggs and Riggs voted for McClernand, and Pennington yet lacked one vote of an election. Before the result was announced, Mr. Briggs, in accordance with a previous arrangement, asked permission to define his position and change his vote. Amidst excitement most intense, and silence most profound, he gave the reasons which had constrained him for the last few days to withhold his support from Pennington. He concluded by saying; "Conscious of the responsibility that has attached to me, holding as I have, for the last two votes, the organization of the House in my hands, one vote only being necessary, in addition to the 116 votes given to Mr. Pennington, to elect him Speaker of the House, I now withdraw my vote from Mr. McClernand, and cast it for Mr. Pennington, of New Jersey."

The tellers reported the result of the ballot. The Clerk announced that William Pennington, a Representative from the State of New Jersey, having received a majority of all the votes cast, was duly elected speaker of the House of Representatives for the 36th Congress.

Messrs. Boccock and Sherman were appointed by the Clerk to conduct the Speaker elect to the chair; and amid the waving of handkerchiefs; amid prolonged and enthusiastic cheering in the galleries and on the floor, in which the feelings of the friends of the successful candidate found vent; and amid slight hisses here and there, to express the bitter disappointment of others—he ascended the platform; delivered an appropriate and conciliatory inaugural address; called the House to order, and the long struggle was over.

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PROCEEDINGS
OF THE
NEW JERSEY
HISTORICAL SOCIETY,
SECOND SERIES.
VOL. III.

1872----1874.

NEWARK, N. J.:
PRINTED AT THE DAILY ADVERTISER OFFICE.
1874.

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ERRATA

Page 64, for " Rev. J. S. Tuttle " read *Rev. J. F. Tuttle*.

" 64, line 14, for " 1800-71 " read 1870-71.

" 64, line 25, for " Callender " read *Calendar*.

" 67, line 14, for " Clevical " read *Cervical*.

" 72, for " 1872 " read 1873.

" 137, for " Vol. IV " read *Vol. III*.

" 149, for " May 1 " read *January 15th*.

" 161, for " May 20th " read *May 21st*.

" 170, for " S. P. Crayon " read *J. T. Crayon*.

PROCEEDINGS

OF THE

New Jersey Historical Society.

SECOND SERIES.

VOL. III.

1872.

No. 1.

NEWARK, May 16th, 1872.

In accordance with the By-Laws, the Society met in their rooms at 12 M.

The President, the REV. RAVAUD K. RODGERS, D.D., took the chair. The second Vice-President, REV. SAMUEL M. HAMILL, D.D., was also present.

MR. DAVID A. HAYES, the Recording Secretary, presented the minutes of the last meeting, which were read and approved.

MR. WILLIAM A. WHITEHEAD, Corresponding Secretary, made a report of the correspondence of the Society since January, and presented letters of acceptance from a number of gentlemen elected to resident membership; and from the Hon. Teunis G. Bergen, of Long Island, N. Y., and the Rev. William Stevens Perry, D.D., acknowledging their election as Honorary Members. The Historical Societies of Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New Haven Colony, New York, Pennsylvania, Maryland, Georgia, Wisconsin, Iowa, and Minnesota, the Essex Massachusetts Institute, New England Historic and Genealogical Society, Smithsonian Institute, and New Jersey State Librarian, acknowledged the receipt of the Society's recent publications. From the superintendents of the Coast Survey; the Rev. C. D. Bradlee, of Boston; and the Mercantile Library Association; Mr. William Vanderpool, of Newark, and Mr. William Nelson, of Paterson, were letters

accompanying donations to the library; from Adjutant General Stryker, of Trenton, relative to the publication of his roster of New Jersey troops; from Charles Whittlesey, President of the Western Reserve Historical Society, enquiring for information relating to Col. John Bradstreet's expedition, in October, 1764; from the Mr. Wm. J. Bruce, of Pittston, Pa., relative to the time, place and manner of the announcement of the Declaration of Independence at Morristown, New Jersey; from the State Librarian of New Hampshire, proposing an exchange of books; and from other persons having reference to the operations of the Society.

The Secretary stated that, to the communications of Messrs. Whittlesey and Bruce, he had been unable to return any satisfactory answers, there being no information on the subjects referred to in the library of the Society. He also submitted to the Society a "Certified copy of a Supplement to an Act, entitled an Act for the better preservation of the early records of the State of New Jersey," passed by the Legislature at the last session, at the instance, and through the influence of the Hon. Nathaniel Niles, Speaker of the House of Assembly.

MR. SAMUEL H. CONGAR submitted his report of donations received for the library since January, which will be found on a subsequent page.

The Treasurer, COL. ROBERT S. SWORDS, reported a balance in the treasury of \$706.63.

DR. PENNINGTON, from the Committee on Publications, reported the issue since the last meeting of another number of the "Proceedings," which completed, in print, all the transactions of the Society to the present time. The seventh volume of the "Collections" containing Judge Elmer's New Jersey Reminiscences, had also been published since January and had met with a very satisfactory reception from the public. The Committee renewed the suggestion, previously made, that the members unsupplied with full sets of the Society's publications should secure them without delay, as but few copies were left of some of the volumes.

MR. DENNIS presented the report of the Committee on the Library, congratulating the members on the growth of that necessary adjunct

of the Society, but regretting that through the inadequacy of the Library Fund its growth was dependent on donations alone. "The success which has attended the Society so far"—said the Committee—"the accumulations of the historical treasures we possess, and the conveniences and facilities afforded for research, have not been without pecuniary cost to the earlier members, and we, who have succeeded them, should not intermit our exertions to carry forward the work so well established, and heretofore so generously sustained"—and an urgent appeal was made for further subscriptions to the Fund.

MR. HAYES from the Committee on Nominations reported favorably upon a number of gentlemen proposed for membership at the last meeting, who were thereupon duly elected; and new nominations were received.

Communications to the Society being in order, the PRESIDENT presented with appropriate remarks, engraved portraits of the Rev. Samuel Miller, D.D., Professor of Ecclesiastical History in the Theological Seminary at Princeton, from 1813 to 1850, and of Mrs. Miller; and also of the Rev. Jacob Kirkpatrick.

MR. HAYES presented a lithographic portrait of Samuel Southard, Senator of New Jersey, &c.

MR. G. N. ABEEL presented through Mr. Hayes, several printed Rewards and Merits received by General Philip Kearney, when a child, from his instructor, H. G. Ufford.

MR. WHITEHEAD presented a communication from the REV. JOSEPH F. TUTTLE, D.D., President of the Wabash College, transmitting copious extracts from a Journal kept by the Rev. Manasseh Cutler, LL.D., during journeys to and from Ohio in 1787-8 giving descriptions of various places in New Jersey at that time, the reading of which was listened to with much interest.

MR. WILLIAM VANDERPOOL presented a copy of a very rare pamphlet, containing the trial of the suit of Eunice Hall *vs.* Robert Grant, for slander, which created great excitement in New Jersey, in 1821.

MR. WHITEHEAD presented a manuscript journal kept on board

her Majesty's ship, Chester, in 1746 and 1747, while acting with fleets at Louisburgh, and on the coasts of America and Portugal.

Assessment lists for Perth Amboy in the years 1801, 1803, and 1804, and lists of paupers in the township of Woodbridge in 1797, 1798, 1799, 1800, and 1801, with an account of the amount of the expenditure of the poor rates—in the hand writing of James Parker, the late venerable President of the Society.

HON. NATHANIEL NILES offered the following Preamble and Resolution :

WHEREAS nearly all the official documents connected with the administration of public officers in New Jersey, during the Colonial period, prior to 1776, are now in the State Paper Offices of England, and, Whereas, the said documents contain a large portion of the History of New Jersey during that period of which the State has now no record, and, Whereas, an appropriation of three thousand dollars was made by the Legislature of 1872, towards procuring copies of said documents, said sum to be expended under the direction of the New Jersey Historical Society, therefore be it

Resolved, That a Committee be appointed by the President, to procure copies of said documents for the State Library and for publication, and to carry out the provisions of said act, and that the authority thus vested in said Committee be certified to them by the proper officers, under the Seal of the Society.

MR. NILES remarked that the Act of the Legislature referred to in the Resolution was only the consummation of a purpose originating with Mr. Whitehead in 1843, two years before the organization of the Society, which was cordially indorsed by Governor Haines, and recommended in two of his messages, but failed to secure the approval of the Legislature, although favorable reports were made from the Committees to which the subject was referred. There could be no question as to the propriety of the measure, and doubtless the success which would attend the execution of this Act would lead to others of the kind.

MR. WHITEHEAD said it gave him great pleasure to second the resolution. The project could now be prosecuted to a successful result under more favorable circumstances than when originally presented, for after the repeated failures in 1843, 1844, 1845 and 1846, and again in 1849 and 1850, to obtain the favorable consideration of the Legislature, it would be remembered that the Society had taken up the subject independently, and finally, through the liberality of a few of its members, the late Hon. James Gore King, bearing one-

fifth of the expense, had secured the Analytical Index to all the Colonial Documents abroad, which now constituted the fifth volume of the Society's published "Collections"; of course, having this Index, the labor of selecting the documents, and the expense attending their procurement would be greatly lessened.

The Preamble and Resolution were thereupon adopted, and the chair appointed as the Committee, the Hon. Nathaniel Niles, Governor Parker and W. A. Whitehead. Subsequently, on motion of MR. NILES, Ex-Governor Haines was added to the Committee, he being about to visit England.

COL. MORGAN L. SMITH offered the following Resolution, which was adopted :

Resolved, That the Committee on Finance be authorized and requested to issue a circular to the members, embodying the appeal of the Committee on the Library for an increase of the Library Fund, and requesting a compliance with their suggestion.

MR. WHITEHEAD presented the following Resolution :

Resolved, That the Committee on the Library be authorized and requested to obtain plans and estimates for a suitable building for the occupancy of the Society, to be erected on the lot in West Park street, and report at the next meeting.

Mr. W. remarked that it was not his intention in presenting this Resolution to commit the Society to the immediate erection of the long desired edifice, but that information might be obtained that would be available in case any of the members of the Society should be disposed to combine and subscribe the requisite amount. Through the liberality of a few gentlemen the site in West Park street was purchased nearly twenty years ago, and had increased four fold in value, and it was time a building was erected upon it.* As might be seen the present rooms of the Society, commodious as they were, were already getting to be crowded.

*MR. WHITEHEAD submitted the original subscription list, bearing the following names and amount:

CALEB O. HALSTED, New York.....	\$100 00
JAMES G. KING, Hudson County.....	500 00
DAVID A. HAYES, Newark.....	250 00
HELEN STUYVESANT, New York.....	50 00
LEWIS M. RUTHERFURD, New York.....	25 00

The Resolution was unanimously adopted.

The Society then took a recess until 2:45 P.M., to examine the Library, and partake of a collation spread in one of the rooms.

On re-assembling, the HON. JOEL PARKER, Governor of the State, read a paper "On the early History of Monmouth County, New Jersey, from its settlement to 1702," illustrated by extended extracts from unpublished records and documents, giving it especial interest and value. The source of most of this heretofore unused matter, the original record book of Middletown commencing in 1667, the Governor submitted for the inspection of the members. The paper commanded the close attention of the audience, and at its close ex-Mayor PEDDIE moved that the thanks of the Society be presented to the Governor for his highly interesting and valuable contribution to the history of the State, which on motion of COL. SWORDS, was amended so as to embody a request for a copy to be placed at the disposal of the Society.

MR. DURYEE, after some complimentary remarks, expressed a hope (which was cordially seconded by the members generally), that the subject might be resumed at the next meeting, and the History brought down to the Revolution.

JACOB D. VERMILYE, Newark.....	50 00
RICHARD T. HAINES, Elizabethtown.....	50 00
MARCUS L. WARD, Newark.....	50 00
JOHN KENNEDY, Belleville.....	25 00
JOHN R. WEEKS, Newark.....	250 00
FREDERICK T. FRELINGHUYSEN, Newark.....	50 00
JAMES B. PINNEO, Newark.....	50 00
JOSEPH N. TUTTLE, Newark.....	50 00
MATTHIAS W. DAY, Newark.....	50 00
SOLOMON ALOFSEN, Jersey City.....	250 00
HENRY G. DARCEY, Newark.....	50 00
NEHEMIAH PERRY, Newark.....	50 00
JOHN RUTHERFURD, Hudson County.....	50 00
CALEB H. SHIPMAN, Newark.....	100 00
PETER S. DURYEE, Newark.....	250 00
WILLIAM RANKIN, Newark.....	100 00
THOS. H. STEPHENS, Newark.....	50 00
Total.....	\$2,450 00

REV. DR. HAMILL made some pleasant remarks, based upon the fact that more than thirty years ago Governor Parker was his pupil.

The resolution of thanks was then passed, and the Society adjourned to meet in Trenton, on the third Thursday of January next, unless sooner convened by the Executive Committee.

Resident Members Elected.

MAY 16, 1872.

Edward Bettle, *Camden*.
Frederick Bourquin, *Camden*.
Thomas G. Bunnell, *Newton*.
Joseph T. Crowell, *Rahway*.
Robert S. Dumont *Morristown*.
John D. Harrison, *Newark*.
Samuel H. Hunt, *Newton*.
Rev. Charles Keyser, *Trenton*.
William Nelson, *Paterson*.
Augustus G. Richey, *Trenton*.
Archibald Parkhurst, *Newark*.
Rev. Geo. Sheldon, D.D., *Princeton*.
Rev. J. Howard Suydam, *Jersey City*.
Edward H. Stokes, *Trenton*.
William Whitty, *Newark*.

Selections from Correspondence and Papers.

LAI'D BEFORE THE SOCIETY, MAY 16, 1872.

FROM REV. JOHN WARD.

BLOOMFIELD, N. J., JANUARY 23d, 1872.

W. A. WHITEHEAD, ESQ.,

DEAR SIR:—Most assuredly I do accept “the membership” as “Resident member of the New Jersey Historical Society,” and with thanks too, for what I esteem a privilege and honor.

Our emigrant Forefathers who settled the “Town upon Passaic River” in 1666, were true “Pilgrims” as were their predecessors or ancestors, who settled New England; their persevering endurance in their chosen pioneer life, their masterly courage and honest dealing with the Aborigines, and their stern but tranquil piety, equaled that of the early Puritans of New England and Old England. When the New Englanders shall forget their Forefathers, and Puritans in Old and New England, and the personal, civil, and religious liberty they loved and defended, be forgotten, then may we forget our progenitors who were of them, and every way worthy to be called their children.

The Society whose objects are to revive and preserve the memory of such men and their doings, is directly aiding in giving liberty in government and religion to the human race.

God speed the day when the faith and liberty they loved and practiced, shall be the possession of every human being; for in their extension and perpetuity, shall the memory of our Forefathers, and their honest doings on the banks of the Passaic, be embalmed and made fragrant forever.

Very truly yours,

JOHN WARD.

FROM REV. WM. STEVENS PERRY, D.D.

GENEVA, N. Y., JANUARY 22, 1872.

MY DEAR MR. WHITEHEAD:

Will you kindly communicate to the New Jersey Historical Society at its next meeting, my very grateful acceptance of the honor done me in electing me to Honorary Membership. To the collections of the Society, I have already been much indebted in the prosecution of historical investigations; and it affords me great pleasure to be associated with its members in their labors in a common cause.

I am, my dear sir, faithfully yours,

WILLIAM STEVENS PERRY.

Wm. A. Whitehead, Esq.,

Cor. Sec'y. N. J. H. Society.

FROM HON. TEUNIS G. BERGEN.

BAY RIDGE, KINGS CO., N. Y., JAN. 22, 1872.

W. A. WHITEHEAD, COR. SEC'Y N. J. H. SOCIETY,

DEAR SIR:—I acknowledge the receipt of yours of the 19th inst., informing me of my election as an Honorary Member of the New Jersey Historical Society. As an humble student and gleaner of Historical and Genealogical matter, I accept the honor conferred, and thank the Society for the same. Whatever knowledge I possess or may hereafter acquire, throwing light upon the History of your State, or any locality therein, I will place at your disposal.

If I may be allowed to make a suggestion (for which pardon me, as you may be already so acting,) I would recommend to your Society to procure, with as little delay as possible, copies of all the early church records in your State (of which to my own knowledge you have many, and interesting ones too, at that), up, say to 1800, and also copies of the inscriptions on gravestones, to the same date. These are all perishable; the church records of which there are generally no copies, are liable to destruction by fire and other causes, and the stones crumble and perish. Although more genealogical than historical, yet historically, they are important and worthy

of preservation as throwing light on the early history of individuals, who compose the neighborhood, the village, township, county and State. Were these all brought together in one building, it would not only greatly facilitate examinations to those studying the history of families, and preserve what might otherwise be lost, but would also gratify antiquaries and others.

Yours respectfully,

TEUNIS G. BERGEN.

FROM CHAS. WHITTLESEY, ESQ.,

PRESIDENT WESTERN RESERVE HISTORICAL SOCIETY.

WESTERN RESERVE HISTORICAL SOCIETY, }
CLEVELAND, OHIO, MAY 10, 1872. }

WM. A. WHITEHEAD, ESQ., *Sec'y. Historical Society, Newark, N. J.,*

DEAR SIR: We have been many years in pursuit of an official account of Col. John Bradstreet's expedition along these shores in 1764, especially of his return in October.

He suffered a defeat or some serious disaster at Rolsby River, seven miles west of here, about the 20th of October, and a portion of the prominent troops, of which New Jersey furnished a Company, were obliged to return by land along the shore, suffering intensely. His official report is not at London, nor has it ever been printed to my knowledge. Can you put us on the track of this paper, or any official account of the disaster?

Yours respectfully,

CHARLES WHITTLESEY.

Donations.

ANNOUNCED MAY 16, 1872.

From the Pennsylvania Historical Society—A Discourse pronounced by the President of the Society, John William Wallace, on the Inauguration of the new Hall, March 11, 1872.

From the Minnesota Historical Society—Annual Report of the Society to the Legislature, for 1871.

From the Iowa Historical Society—Annals of Iowa, January, 1872.

From the New England Historic Genealogical Society—The New England Historic Genealogical Register, Vol. XXVI. January and April. Proceedings of the Society at the Annual Meeting, Jan. 3, 1872.

From the American Philosophical Society—Transactions of the Society, Vol. XIV. New Series—Part III. 1871.

From the American Antiquarian Society—Proceedings of the Society at the Annual Meeting, held in Worcester, Oct. 21, 1871.

From the Essex Institute—Bulletin of the Institute. Vol. III, Nos. 8 to 12 inclusive.

From the State Treasurer—Laws of New Jersey, Journal of the Senate, Minutes of Assembly, Legislative Documents, 1871, New Jersey Law Reports, 5th, Vroom, New Jersey Equity Reports, 6th, Green, Statutes at Large, 3d Session, 41st Congress, 42d Congress, 1st Session, 1871.

From the State of Pennsylvania—Second Annual Report of the Board of Commissioners of Public Charities of the State, with Report of the General Agent and Secretary. Jan. 4, 1872.

From the Superintendent—Report of the Superintendent of the U. S. Coast Survey, showing the progress of the Survey during the year, 1868.

From the Authors—Early History of the Falls of Schuylkill, Manayunk, Schuylkill and Lehigh Navigation Companies, Fairmount Water Works, &c. By Charles V. Hagner.

First and Second Annual Reports of the Geological Survey of Indiana, for 1869 and 1870, with a map. By E. T. Cox, State Geologist.

From Wm. Vanderpool—Report of the Trial of Eunice Hall *vs.* Robert Grant, for slander, tried in June Term, 1821, Essex, New Jersey, with an abridgement of the Argument of Counsel, and an Appendix.

From Rev. R. K. Rodgers, D.D.—Engraved Portraits of Rev. J. Kirkpatrick, for fifty years, Pastor of the Amwell Church, New Jersey, Rev. Samuel Miller, D.D., of the Theological Seminary, Princeton, N. J., and Sarah Sergeant, daughter of Jona. Dickinson Sergeant, and wife of Rev. Dr. Miller.

From William Nelson—A Map of the World in 1603, Photographed from a small quarto entitled, *Mundus Imperiorum, &c. Vrsellis, Anno, 1603.*

From Wm. A. Whitehead—Journal kept on board His Majesty's Ship Chester, from March 26, 1746 to May 11, 1747, during the war with France.

Assessments on the City of Perth Amboy in 1801, 1803 and 1804.

Account of Paupers maintained by the Township of Woodbridge for 1797, 1798, 1799, 1800 and 1801.

The Spirit of Missions (Prot. Episc. Church), 1868 and 1872.

From Daniel O. Scott—Laws of the United States from 1789 to 1799. 4 Vols.

Laws of New Jersey. Paterson's Revision.

Map of the Progress of His Majesty's Armies in New York, during the late Campaign, 1776.

The American Revolution; written in the Style of Ancient History. Vol. I

The Royal Magazine for February, 1765. The Westminster Magazine, for Dec., 1773. The Wonderful Magazine, for Jan., 1765. The Oxford Magazine, for May, 1774.

Proceedings of the Members of the Ancient Church of Scotland, representing the mode of administering oaths, 1784. London. New Discoveries concerning the World, and its Inhabitants.

The Islanders in the South Sea, &c., London. 1778.

Epigrammatum Delectus ex orronibus, &c. 1715. L. Annœi Seneca et aliorum Traedice, Oxoni. 1679.

From Rev. J. F. Tuttle, D.D.—A Historical and Statistical Sketch of the Rail Road City. A Chronicle of its Social, Municipal, Commercial and Manufacturing Progress, with full Statistical Tables. By W. R. Holloway. Indianapolis, 1870.

Home Missionary Life. An Autobiographical Discourse, by Rev. Henry Shedd, delivered in Delaware, Ohio, April 5th, 1864.

Proceedings of the 40th Anniversary of the Presbyterian Church of Mount Gilead, Nov., 1871, with a Sketch of the Early History of the Township and Village, 1871.

Presbyterianism North of the Ohio. A Historical Discourse, delivered in the Second Presbyterian Church of Cincinnati, April 9th, 1872, the 5th Anniversary of the Presbytery of Cincinnati. By Rev. J. G. Montfort, D.D.

From Daniel T. Clark—A Copy of "The Records of Lands, Wills, Deeds, &c., of the Town of Newark," from 1666 to 1740.

From Rev. R. B. Campfield—The Psalms of David: Boston. Fourfold State, Miscellaneous Songs, and Duncan Campbell's New Gaelic Song Book, Translations used in the Highlands of Scotland.

From D. A. Hayes, Esq.—Cases of Contested Elections in Congress from 1789 to 1834 inclusive. Compiled by M. St. Clair Clarke, and D. A. Hall.

Laws of the United States, Treaties, Regulations, and other Documents, respecting the Public Lands, with the opinions of the Courts of the United States in relation thereto, from March, 1872 to March, 1833; Senate Documents, Executive Documents and Reports of Committees, 1st and 2d Session, 24th Congress. 25 Vols.

Journal of the House of Representatives, United States, first Session, 24 Congress, A Digest of the existing Commercial Regulations of Foreign Countries, with which the United States have intercourse, as far as they can be ascertained, 1833 and 1836. 3 Vols.

Appendix to Senate Journal, New Jersey, 1859.

Minutes of the General Assembly of New Jersey, for 1858 and 1859, Documents of the Assembly of New York, 1851, No's. 91 to 131, inclusive.

From John C. Suffern—Bybel, dat is De Gansche H. Schrift, &c., en Nieumen Testaments. Te Gorinchem Stads druckker. MDGCXLVIII.

From Col. R. S. Swords—Proceedings of the Fourth Annual Meeting of the National Board of Trade in St. Louis, Dec., 1871.

Annual Report of the Board of Managers of the Delaware and Hudson Canal for the year 1871, with Map.

From Thomas Stewardson—Decisions in Chancery of New Jersey, in case of Shotwell, Complainant, and Hendrickson and Decow, Defendants.

From the Publishers—The American Historical Record and Repertory of Notes and Queries concerning the History and Antiquities of America, and Biography of Americans. Edited by B. J. Lossing. The New York Observer Year Books, 1871, 1872.

MONMOUTH COUNTY

DURING THE

PROVINCIAL ERA,

BY

HON. JOEL PARKER, GOVERNOR OF NEW JERSEY.

READ BEFORE THE SOCIETY,

May 16th, 1872.

EARLY HISTORY OF MONMOUTH COUNTY.

It is astonishing to find so little information in reference to the early history of New Jersey. Many of her own citizens seem to think that her existence commenced with the American revolution. Our children are carefully taught ancient and modern transatlantic history, but few can repeat the names of those who filled the gubernatorial chair of their own state since the revolution, and are entirely ignorant of the administrations of those who occupied that station while she was a province or colony.

The New Jersey Historical Society is laboring to dispel this ignorance of ourselves. A few devoted men have placed the people of this State under obligations, which in the future will be recognized with gratitude.

The land now called New Jersey, was discovered by Europeans, in the year 1497. In that year, Sebastian Cabot, having touched at New Foundland, sailed along the shores of New England and New Jersey, but without landing put to sea, and returned to England. The news of the discovery excited interest in Europe, yet for more than a century thereafter, this part of the American continent remained untouched by the foot of civilized man.

On the third day of September, 1609, the natives who lived in what is now the county of Monmouth, discovered a ship bearing toward the shore. It was the "Half Moon," commanded by Hendrick Hudson, who was then in the service of the Dutch East India Company. The vessel anchored in Raritan Bay, while Hudson and his crew landed near Sandy Hook, and penetrated several miles into the country. Here, in the ornate language of a modern writer, "sombre forests then shed a melancholy grandeur over the useless magnificence of nature, and hid in their deep shades the rich soil which the sun had never warmed. The men who occupied the soil were wild

“as the savage scene, in harmony with the rude nature by which they were surrounded,—the bark of the birch their canoe, and “strings of shells their ornaments, their records and their coin-” The journal of Hudson, with greater plainness, states “that they saw “great store of very goodly oaks, and found grapes, beaver and otter “skins, and indian wheat; the indians well disposed, some with man-“tles of feathers, and others dressed in skins of divers sorts of good “furs.”

In all these middle states, now teeming with millions of enlightened people, the spot on which the eyes of civilized men first rested, or their feet first trod, was in what is now called the county of Monmouth.

Hudson soon left his first landing place, and proceeding through the narrows, sailed past the island of Manhattan, a short distance up the river which now bears his name. Soon after this, settlements were made on that island, and on both sides of the river, and a few adventurers ventured as far south as Navesink and Shrewsbury, but of the number and history of these we have but a meagre and not authentic account.

The operations of the Dutch on and in the vicinity of Manhattan Island, at length attracted the attention of the English government. On the sixteenth of March, 1663 (old style), King Charles the Second claiming the country by virtue of Cabot's discovery, granted by patent the territory and government of what now constitutes the states of New York and New Jersey, to his brother James the Duke of York, and proceeded to put him in possession of the grant. He fitted out a fleet under command of Sir Robert Carr, who, aided by the land forces under Colonel Nichols in the year 1664 captured the fort on Manhattan Island, and with its fall Governor Stuyvesant surrendered the country, including the present states of New York and New Jersey, to the dominion of the conquerors; and thus the Dutch, who had endured the privations and hardships attending the planting of a new colony, were dispossessed of their territory and government. The surrender was made on liberal terms, and most of the Dutch settlers remained in the province of New Jersey.

On the second day of April, 1664, the Duke of York gave to Col. Nicolls a commission as Deputy Governor, which in express language

authorized him "to perform and execute all and every the powers which were, by the letters patent from the King to the Duke, granted to the Duke."* Among other powers thus given, was that of conveying lands, and establishing government over the inhabitants of the same; and on the eighth day of April, 1665, by the title of "Governor under His Royal Highness, the Duke of York, of all his territories in America," he granted by patent to William Goulding and others, patentees, and their associates, their heirs, successors and assigns, a large tract of land near Sandy Point, and lying along Raritan Bay and the sea-shore, within which were the old townships of Middletown and Shrewsbury. embracing the necks of land called Navesink, Narumsum, and Portipeck. This patent recites, that the said tract had been bought by the patentees from the Indian sachems, according to the printed terms of Nicolls previously published. It also provides that the said patentees and their associates should, within three years from the date of their patent, manure and plant the lands, and settle there one hundred families at least, and be free from rents, estovers, excise tax or levy, for seven years, and after that to pay the same as others. It also gives the liberty of self-government, by providing that the inhabitants should elect by the votes of the major part, five or seven persons of the eldest and discreetest to join with the patentees, "to make such rules and prudential laws and constitutions among the inhabitants, for the better and more orderly governing of them," and to try cases of a civil nature under a certain sum, all criminal matters to be remitted to the assize in New York.†

I have been particular in stating the terms of this grant from Colonel Nicolls, commonly called "The Monmouth Patent," because it authorized and put in operation the first local government in New Jersey of which we have any authentic record; and also because it and the grant of Nicolls to the Elizabethtown settlers caused the difficulties in the province which led to what has been called the "Provincial Revolution," and ended in the surrender of the proprietary government of East and West Jersey to the Crown in 1702.

* See Note 1.

† See Note 2.

The patentees and their associates soon settled on the tract, principally at Middletown, Shrewsbury, and Portland Point. These towns were laid out in lots called home or house lots, on each of which a house was built. The outlands of each inhabitant consisted of a greater quantity of upland and meadow, lying some distance from the town, on which he labored during the day, returning at night within the protection of the fortification, erected in the settlement to guard against the Indians.

In June, 1667, a legislature, composed of the Deputies from Middletown, Shrewsbury and Portland Point, convened at Portland Point, now called the Highlands of Navesink. This, the first legislature that assembled in New Jersey, met nearly a year before the Governor, Council, and representatives of the other towns of the province assembled at Elizabethtown. It was organized under the broad authority of the Nicolls patent, and continued to meet at Portland Point, as a body distinct from, and independent of, the proprietor's government, for many years. The records of this legislature have been preserved. It appears to have been a law-making body, a court, and a board of land-proprietors combined, and was designated in its proceedings as "The General Assembly of the Patentees and Deputies." *

Besides this representative body, the people of each town had its distinct local government. This was a pure democracy, all proceedings affecting the interests of each particular town, being had before the people assembled in town-meeting, by a viva-voce vote. The first town-book of one of these communities is in my possession. The first record is in 1667, and it continues almost to the year 1700. This is perhaps the most interesting ancient historical document in the state.† There are many pages of the book to which I would gladly refer if time would permit, but in this paper I will confine myself to the part the towns of Monmouth took in the provincial revolution, and in events leading thereto, extending from 1668 to the surrender. In this town-book is found matter in reference thereto which has never been published, and which, with the fragmentary information on the

* See Note 3.

† See Note 4.

subject we before had, will complete the history of that controversy which agitated the province for many years, and concerning which so little has heretofore been known. As this protracted controversy produced a change of government, in the surrender to the Crown, the information here obtained is important in a historical point of view. The object of this paper will be to show the part the early settlers of Monmouth took in the provincial revolution.

The question which agitated the inhabitants of Middletown and Shrewsbury, was one of title to their lands. The same question affected other portions of the province, and produced such dissatisfaction and disorder, that the proprietors finally were obliged to surrender the government.

The grant from the Duke of York to Berkley and Carteret was prior to that from Nicolls to the patentees, but at the date of the Monmouth patent, neither Nicolls nor the patentees had notice of the Duke's grant. Nicolls had authority to grant, and promised the patent to those who should settle in Middletown and Shrewsbury, if they would first extinguish the Indian title. This they did, received their patent, and had it recorded previous to notice that the Duke had conveyed to the proprietors. From these conflicting titles proceeded the trouble and contention that followed. The proprietors insisted not only upon the right of government over the inhabitants of the towns of Monmouth, but also claimed title to the soil, and demanded taxes and quit-rents. The inhabitants of Middletown and Shrewsbury were willing to submit to the government of the proprietors, but denied their title to the lands included in the patent from Nicolls.

The first Assembly under the proprietors, convened at Elizabethtown in May, 1668, and it appears by the proceedings, that James Grover and John Bowne claimed to be Deputies for Middletown and Shrewsbury, and took the oath. This has always been construed as an acknowledgement by the towns of the right of the proprietors, not only to the government, but also to the soil. It appears, however, by the town-book of Middletown, that the inhabitants at the next town-meeting hastened to repudiate Grover and Bowne, and to deny that they were ever chosen representatives. This is an important fact, for their participation in the proceedings of the first Assembly at Elizabethtown, and

voting for the rates to be levied, was made a strong point against the patentees in the controversy that followed, and was taken by the Assembly as an acknowledgement of the proprietors' title. The entry in the town-book is as follows: "October 28, 1668. In a legall towne meeting, it was ordered that this following declaration shall bee sent "by the Deputies to the General Assembly: Wee, the freeholders, "for the satisfaction of the Governour and Counsell declare, that "whereas certaine men, (by name) James Grover and John Bowne, "apearing as Deputies to act in the countrey's behalfe; this wee "declare, that the men were not Legally chosen, according to summons, "it being nott published in any part of the countrey till the night "before being the 24th of May. The inhabitants being maney and "setled neere twenty miles distance, could nott be gathered "toghether as above said; yet it apears that some few to whom the "summons first came, made choyce of them unknown to the major "part of the countrey, who had noe hand in the choyce, nor knew not "of their going till they were gone; and this wee declare to the "Governour and Counsell, conceiving under correction: that we are "not at all obliged to stand to their acting, the choyce being soe illegall, being fearefull to act anything that might infringe or violate any "of the liberties and privileges of our pattent; and this is our result, "that wee desire our Deputies to present to the Governour and Counsell for their satisfaction, that it was neither contempt nor obstinacy, "nor willfull on our parts, that the choyce was not legall according "to the summons. Testis. James Grover, Town Clarke."

From the above it will be seen, that while they denied the legality of the election of Grover and Bowne, they were not unwilling to elect Deputies in a legal manner, provided (as it appears afterwards) their representatives should not be obliged to take an oath that would compromise their patent. Upon examining the town-book, it appears that neither Grover nor Bowne had been chosen, as there is no entry to that effect. Neither had Shrewsbury sent delegates to Elizabethtown, but the Middletown men had assumed to act for Shrewsbury.

The town-meeting of October 28, 1668, also passed the following: "The inhabitants taking into consideration the liberties and privileges "granted by pattent, and fearing to have their Deputies any way "involved under any oath, engagement, or subscription whereby any

“prejudice or infringement may come upon the liberties and privileges thereof, doe hereby order and enact, and by these presents it is ordered and enacted, That this following proviso shall be presented to the Governor and Counsell, desiring to have it inserted either in the oath, engagement, or subscription, viz: provided that noe law, or act, or command w^{ch} is or may bee made, acted or commanded, may any way be forceible against the liberties and privileges of your patent. It is further ordered that if the Governour and Counsell please not to admitt of the proviso in the oath, engagement, or submission, that then the Deputies shall refuse either to engage, promise, or subscribe.”

This was rank rebellion, and in a community consisting of about five hundred souls, it was bold and perilous.

On the first of November, 1668, it is recorded that “in legal town-meeting, Jonathan Hulmes and Edward Tart were this day, by the pluralities of votes, chosen Deputies to act with the General Assembly at Elizabethtown.”

On the third day of November, 1668, the Assembly met at Elizabethtown, and Jonathan Hulmes and Edward Tart for Middletown, and Thomas Wintertown and John Hans for Shrewsbury, appeared. The entry in the minutes, as found in Leaming and Spicer, is as follows: “The Deputies for Middletown and Shrewsbury, refusing to take or subscribe to the oaths of allegiance and fidelity but with provisoes, and not submitting to the laws and government, were dismissed.”

At the May session of 1668, a law had been passed by the Elizabethtown Assembly levying a tax of five pounds on each town. The towns of Middletown and Shrewsbury refused to pay this rate because the Nicolls patent exempted from taxes for seven years. This refusal, together with the conduct of their representatives in declining to take the oath at the opening of the session of November, 1668, called for prompt and decisive action on the part of the provincial government, and the following act was passed, viz: “*Item.* Whereas there was an act of General Assembly passed the thirtieth day of May last, for a rate of thirty pounds to be raised upon the county for the defraying of public charge, equally to be laid upon the towns then in being, viz: the towns of Bergen, Elizabethtown, Newark upon

“Pishawack river, Woodbridge, Middletown and Shrewsbury, that is
“to say five pounds on each town. Now the major part of the inhab-
“itants of Middletown and Shrewsbury, refusing to pay the same,
“contrary to the consent and act of their own Deputies, and likewise
“refuse to submit to the laws of this government. It is hereby
“enacted by the present General Assembly, that Mr. Luke Watson
“and Mr. Samuel Moore shall go and demand the aforesaid rate of five
“pounds from each town, together with forty shillings more from each of
“said towns, which is their just proportion of the rate of twelve pounds
“now made by this present General Assembly for the defraying of pub-
“lic charges, which if they refuse to pay, the said Luke Watson and
“Samuel Moore to take by way of distress, together with the charges
“and expenses the country is and shall be at for their obstinate refusal
“of paying their just dues according to law, and for so doing, the
“General Assembly doth undertake to save them harmless. It is
“further enacted by the authority aforesaid, that Luke Watson and
“Samuel Moore, aforesaid, do demand the positive resolution of the
“inhabitants, or the major part of them of the said towns, whether or
“no they will submit to the laws and government of this province,
“under the Right Honorable John Lord Berkley and Sir George
“Carteret, Knight and Baronet, the absolute Lords Proprietors of
“the same, according to His Royal Highness, the Duke of York’s
“grant, upon which answer the General Assembly will proceed
“accordingly.”

This was a terrible missile to hurl at the weak and defenceless towns, but they appear not to have been disturbed by the high sounding phrases of the enactment. Luke Watson and Samuel Moore were Woodbridge men of some note, the latter afterwards being the Treasurer of the province. They were not very prompt in performing their duties under the act, probably from fear of encountering the rebels of the two revolting towns.

We obtain no information of the result of this unpleasantness from the minutes of the Proprietors’ Legislature, for none have been published between the years 1668 and 1675, and it is doubtful if that body transacted any business between those dates; and we must rely on the old town-book for the subsequent steps in the controversy.

In February, 1668 (old style), the following significant entry, bidding defiance to the Lords Proprietors and preparing to defend their patent, was made :

“In a legall towne meeting, ffor future security of the goods and
“cattle that belongs to the inhabitants of the towne, it is hereby
“ordered and agreed upon, that every inhabitant is jointly enjoined
“to give their assistance to secure the goods of every particular
“inhabitant from any one that shall attempt to take or cary anything
“out of the towne under what couler soever; and it is further ordered,
“that every particular inhabitant shall make their appearance at all
“demands or warning by the constable or other authorized by him to
“meet anywhere in the towne, upon penalty of five pounds for non-
“apearance or non-asistance; and it is likewise ordered and agreed
“upon by the inhabitants, that if any one being an inhabitant shall
“come or fall into any trouble about anything concerning the premises
“above specified, or shall be called by virtue of any writt or warrant to
“apeare before any Gouvernour or Court upon the same account of
“such apearance or such asistance, that every such inhabitant shall
“have his time and expences discharged by the towne, and his
“domestick business goe forward all the time of his absence, and
“these orders to stand forcible till fforther order. Ordered to be
“entered and subscribed by the major part of the towne.”

This meant resistance by force to the collection of the rates by distraint. The five pounds was a small sum for the town to pay, but there was a principle involved. Many a war between nations has grown out of a circumstance apparently as small and unimportant. The American revolution originated from a claim to tax a few pounds of tea.

It will be observed that the order last cited was directed to be signed by the major part of the inhabitants, as a declaration of their rights, and an alliance defensive to stand or fall together. It was a solemn agreement to provide for the families of those who might suffer for the public good. On the same day, James Ashton, Jonathan Holmes, Richard Gibbens, Richard Stout, William Lawrence and Edmund Tartt, were ordered to give answer to the Governor's men in the town's behalf, and that the Clark sign and seal the same writing, to be sent to the Governor. The town meeting at the same

time resolved, that the Clark at present shall receive the laws from the Governor's messengers, viz: Luke Watson and Samuel Moore, and upon receipt shall declare that the town receives them for their own security only; and it was likewise ordered that "no inhabitant shall be seized upon, or carried by violence out of the towne, until the towne sees further." On the same day another entry was made by the town Clerk, as follows, viz: "For as much as Luke Watson and Samucl Moore, the Gouvernour's mesingers, doe command us to aid and assist you in taking distraint of goods from the inhabitants of Middleton to discharge levies levied upon them, This wee declare: That wee own Captain Phillip Cartaret to be our Gouvernour, whose lawfull, good and just commands wee shall and will obey in all things not for wrath, but for Conscience sake towards God, the liberties and privileges of our pattent only maintained in full and ample manner; but for as much as the Gouvernour has sent yee to take a distraint of goods from a people that as yet are nott submitted to him, (if the act of the General Assembly did not hold forth soe much, we would not say so), though the same people will be ready to yield true submission to him, their Gouvernour, in all things good and lawful, the libérties and privileges of their pattent only maintained; wee say, for as much as he hath sent yee to take distraint of their goods, as in our consciences wee judge not to bee just, for how can anything be due from any man or people who are not submitted; wee shall be passive here in refusing either aide or assistance to yee in the distraynt."

On the seventeenth day of March, 1668-9, at a legal town meeting, the major part being present, it was put to vote concerning that part of the act which required Luke Watson and Samuel Moore to demand the positive resolution of the town of submission to the government of the absolute Lords Proprietors, and it was unanimously resolved, that the following shall be the positive resolution, and shall be presented to the General Assembly. This document is long, but as it sets out fully the case of the inhabitants who held under the Nichols patent, and as it has never been published, I will read it.

"March 17, 1668-9. In a legall towne meeting, the major part being present, it was this day putt to the vote concerning answer-
ing the demand of Luke Watson and Samuel Moore, who were

“authorized by the General Assembly to demand our positive resolution of submission to the government of the absolute Lords Proprietors, as sayeth the Act bearing date the seventh of November, it was unanimously resolved that this following act shall be our positive resolution, and shall be presented to the General Assembly, viz :

“That if the oath of alleagance to our Sovereign Lord, the King, and fidelity to the Lords Proprietors’ interest, bee the submission intended in the act, this is our result : that as true loyal subjects to the King, we are ready at all demands either to engage, swear, or subscribe all true alleagance to his Royal Majesty of England, as in duty bound, either before the Gouvernour, or any other minister of justice authorized by him to administer the same, without any equivocation or mentall reservation, as true loiall subjects ought to doe ; and this wee will performe absolutely * * *

“As to the Lords Proprietors’ interest, it being a new, unheard of thing to us, and soe obscure to us that at present we are ignorant what it is ; yet as men not void of judgement, knowing right well that all oaths, engagements, or subscriptions ought to be administered in truth, in righteousness, and in judgment, upon which consideration wee are nott willing to sweare to (wee know not what), yet by what hath been presented and come to our hands from the Gouvernour at several times, viz : an order or law came in the year 1666, prohibiting any from selling wine to the Indians. under great penalty, though it seems now that above the quantity of two gallons may be tollerated by a law. 2d. Warrants coming to our hands, nott in His Majesties name, but in the Lords Proprietors’ name, being such a name as wee simple creatures never heard of before. 3d. An account that our Deputies gave us, being returned from the General Assembly held in November last, who informed us that the honnoured Gouvernour told them (speaking concerning their patent) that notwithstanding your pattent, said hee, yett new Lords must now have new lawes, and further they declared to us that the Gouvernour tould them that Gouvernour Nicolls could not give away his master’s land, and further said that when your pattent was in granting, that Captaine James Bullen, my Secretary, putt in his caveat. and soe put a stop to it, Captaine Bullen then

“affirming the same. 4th. An order coming from the Gouver-
 “nour and Counsell, bearing date the first of March, '68, prohibiting
 the townes of Middleton and Shrewsbury from electing any officer, or
 “any officer from executing any office, upon penalty of being pro-
 “ceeded against as mutineers. 6th. An Act of the General Assembly,
 “stiling (the Right Honorable John Lord Berkley and Sir George
 “Carteret) the absolute Lords Proprietors * * *

“By all w^{ch}, wee conceive: that the Lords proprietors interest is ::
 “not only: the absolute sovereignty: from w^{ch} all laws must be
 “given: but allsoe: the absolute propriety: from w^{ch} all lands
 “must bee holden: (wee say) if this bee the interest soe specified in
 “Gouvernour's late order: and intended in the oath: and in parte
 “the submission demanded by the Act.

“This is our result: wee having received a pattent from his Roiall
 “highness the Duke of York's Deputy: owning us: nott only to have
 “purchased our lands from the Chief Proprietors of the countrey:
 “but allsoe empowering us to give prudentiall lawes to ourselves:
 “both for our own safety: and our well being:: and should wee submit
 “to the interest soe farre: as by either engaging: swearing: or sub-
 “scribing to the lawes of the government under the Lords proprietors
 “how contrary and prejudiciall to our present safety, as witness a
 “law made the last Generall Assembly: giving liberty to sell wine
 “to the indians: w^{ch} Liberty tends merely to our destruction, many
 “sad former experiences have we had among us witnessing the same:
 “it being a Liberty soe cantrary to the lawes of New Yorke from
 “whence our pattent had its originall: and besides, our pattent giv-
 “ing us such liberty as giving lawes to ourselves how are wee bound
 “to take lawes from the government of the Lords Proprietors (crimi-
 “nalls and appeals excepted) by w^{ch} it is manifest: that neither the
 “Lords proprietors nor the Generall Assembly can in the leaste
 “breake our liberties and privileges: but wee ourselves will bee found
 “to bee self-violaters of them in submitting by swearing to such an
 “interest: as wee are not bound to: besides at present noe provision
 “being made by the Lords proprietors' government for the conserva-
 “tion of the liberties and privileges of our pattent they are liable to
 “bee infringed upon by such acts w^{ch} are resolved by the major vote

“of the generall assembly: then how should wee submit by swear-
“ing to the lawes of the government: and nott bee guilty of self-viola-
“tion of our pattent ourselves. * * * *

“And forasmuch as they are stiled the absolute Lords proprietors
“ffrom hence it absolutely granted and necessarily followeth that all
“such inhabitants as lives upon this propriety: are absolute ten-
“nants to the lords to the Lords proprietors: and by virtue of this
“their submission: by oath to their interest -are irrecoverably
“involved to pay such Lords rents: as will answer the interest to
“w^{ch} they have sworne: and should wee submit to the interest so
“farre as by swearing thereunto: having a propriety of land nott
“onely purchased from the Chief Proprietors of the Countrey: viz.
“the Indians: but alsoe granted unto us by the Deputy to his Roy-
“all highnes the duke of Yorke (w^{ch} apears under hand and seal): it
“would be an act beneath the wisdom of the owners of such a pat-
“tent: and herein wee should apeare to bee self-violators of our pat-
“tent ourselves: and for as much as the Lords Proprietors rents
“from such inhabitants as lives upon the propriety apears in the con-
“cessions: viz. a-half penny an acre at least: should wee submit soe
“farre to the interest by swearing: whose acknowledgments by vir-
“tue of pattent to his Royall Highness: have their dependancy upon
“such payment as others his majesties subjects, doe in the government
“of New Yorke to his Royall Highnes: it would be an act as wee
“conceive w^{ch} would bee a dishonner to him that gave it:

“Herein wee should apeare to be self-violators of our pattent our-
“selves: but for as much as there is an assignement made by his
“Royall Highnes to the Lords proprietors of such a tract of land in
“w^{ch} our pattent may bee comprehended: wee looke at ourselves to
“be (notoriely) responsible to the Lords Proprietors: in all such
“acknowledgments as others his majesties subjects doe: in the gov-
“ernment of New Yorke to his Royall highness: (butt alsoe) to trans-
“mitt all criminalls arising amongst ourselves: and such apealls as
“are proper to bee transmitted to the trial of Lords Proprietors gov-
“ernment: These: and noe other being the same injunctions: w^{ch}
“once we were subordinate to the government of New Yorke nott
“any way now nullified: altered: or changed as wee conceive: butt
“only transferred by virtue of assignment to the sayd Lords Propri-

"ctors and their government: Notwithstanding for the future benefitt
 "and tranquility: and for the establishment of peace in the pro-
 "vince: wee shall bee willing to submit to the Lords proprietors
 "interest according to the late order provided that some secure way
 "could be projected or some provision made by the Lords proprietors
 "government w^{ch} might secure us from destroying of ourselves by
 "weakening this our interest w^{ch} we so highly prize w^{ch} indeed is the
 "very foundation of our livelyhood: if noe secure way or course can
 "be thought of or projected to secure our owne interest: wee are att
 "present resolved not to intangle ourselves into any other interest
 "appertaining to any men: but shall (by the assistance of God)
 "Sticke to our pattent: the liberties and privileges thereof w^{ch} is our
 "interest: w^{ch} once was committed to us: nott to betray: like
 "treacherous men: who for filthy lucre sake have bin ready to
 "betray themselves and others: but to deale faithfully with it being
 "a trust committed to us: and in soe doing wee conceive: we need
 "not feare what any man: or power: can doe unto us: and for as
 "much as att present wee conceive: that upon this our interest
 "thare hath bin lately an inroad made upon it: by virtue of an order
 "coming from the Governour and Counsell: and by commission:
 "published in our towne: prohibiting any officer that hath bin con-
 "stituted by virtue of pattent to execute any office till they had
 "sworne to the Lords proprietors interest upon penalty of being pro-
 "ceeded against as mutineers: (to salve w^{ch}), wee shall make our
 "addresses unto the highest authority in the countrey for remedy:
 "and this is our positive resolution in answeare to the Act: desiring
 "further that this our answeare may be presented to the generall
 "assembly to prevent misinformation."

This document is framed with considerable ability, and doubtless
 attracted as much attention, and gained as much celebrity in its day
 among those interested, as did the declaration of independence from
 Great Britain at a later date. How this resolve of the Monmouth
 men to stick by their patent was received by the proprietors govern-
 ment, we have no information, for as I have before said, no minutes
 of the Elizabethtown General Assembly from November, 1668, to
 1675, have been found. There is reason to believe that the Assem-
 bly met occasionally during that period, but it is probable that no

business of any importance was transacted. The next entry in the Middletown town book which I will quote, proves there was an occasional session. The Assembly referred to therein cannot be that which was convened under James Carteret, who usurped the government, for that usurpation did not occur until the following Spring.

"December 6, 1671. In a legall towne meeting: the major partt
"being present it was ordered that following writing shall be sent to
"the Governour and Counsell and Deputies of the townes of the pro-
"vince assembled together at Elizabethtown the 12th of this present
"month. * * * Honoured Governour: the
"Counsell and Deputies of the generall assembly. * *

" * Wee received by the hands of some of the men of
"Woodbridge the late acts of the generall assembly at their last
"adjournment bearing date 22 of November: as alsoe a summons
"under hand and seale of the province for choice of Burgesses for a
"further Assembly to bee held on the 12th of this present month:
"both w^{ch} being enclosed in a paper sent unto us by the Honoured
"Governour: desiring our compliance to answere the summons: and
"further requiring our positive answer by the bearer: to w^h wee
"say: that such is: and hath bin our forwardness for compliance at
"all times: that there hath bin: and is noe need of any occasion:
"either to instigate or augment our forwardnes thereunto: having
"not at any time wilfully omitted any oportunity of apearng by our
"deputies to doe such service as hath bin required of us: besides: the
"sincerity of our desires: being soe well known to God, and our
"own consciences herein: in point of true Loyall submission to the
"government of the Lords proprietors soe farre forth as is proper to
"our condition to the very utmost that can bee claimed from us:
"whose just power wee have formerly (as it is well known) with all
" * owned: but when we consider (having pon-
"dered we in our minds) the late act was presented to us: and being
"therein charged: with noe les than contempt of authority of gover-
"ment: the charge being soe generall: viz. the townes of Middleton
"and Shrewsbury, the forciblenes of the charge be great: viz. an Act
"of the generall assembly: and withall judging the charge the whole
"ground of the Act: for what greater force can there be than a

"generall act: wee say: wee (weighing these things in the ballances
 "of equity) judge ourselves at present altogether incapable of
 "answearing the summons: apprehending ourselves at present rather
 "fitter to be cleared publickly of soe weighty a charge: then to joyne
 "with the Gouvernour: Counsell: and deputies of the townes of the
 "province in the exercise of any legislative power: for the settlement
 "of anything: needful and necessary for the well governing of this
 "province: and should have now appeared to have answered to the
 "charge if that writt had appeared amongst us w^{ch} the late assembly
 "gave the Gouvernour thatt power to issue forth: further more (con-
 "ceaving under correction) that noe such prerogative or privilege
 "may bee conferred upon contemnners and despisers of government,
 "much les noe such thing as either the dignity of a freeholder to
 "elect or the dignity of a Deputy to act for the good and welfare of
 "any state or province and therefore for the full clearing of ourselves
 "our desire is that the late act (according to the current thereof)
 "may bee exactly prosecuted: that soe that power (w^{ch} the late
 "assembly of deputies at their last adjournment tooke upon them
 "to give the gouvernour) may now bee putt in execution:
 "for had that writt appeared now amongst us: wee question nott:
 "but wee should have shewed our ready and willing obedience
 "to have answered thereunto: being carefull of incurring upon
 "any Attayndor of rebellion: but that writt appearing nott amongst
 "us: wee judged ourselves not obliged to come to answer:
 "and thus in brieve have wee given account of our present condition:
 "under favour waiting onely with all humility (pro forma tantum) as
 "to what is further required of us in the late act: viz: to shew cause
 "why wee will nott pay our just proportion of expences of provision
 "expended at two assemblies in the yeare (68) wee answer that
 "which was expended at the assembly Held 25, May (68) wee had
 "then noe deputies there to expend and further what was expended
 "at the adjournment: in November following in the same yeare: our
 "deputies who were there and nott suffered to act but sume how
 "agayne reported to us: that the deputies for the townes of the pro-
 "vince: invited them one night to supper: w^{ch} before their departure
 "thence they tendered them money for itt soe that: as wee abhorre
 "all such baseness of spirit as to eat any mens bread for nought:

"soe wee come nott: by what wee have soe lightly as to pay other
 "mens expences: who wee conceive rather show an evell mind in
 "desiring itt: soe that if anything by the power of the province be
 "forced from us at any time (upon this acount) viz: for the dis-
 "charge of expences of provisions for those two asemblies: wee
 "hope wee shall neither be ashamed nor affrayd to declare it to be
 "open and manifest wrong: further wee give yee to understand
 "the cause and reason why our deputies apeareed not at the last
 "adjournment: when the time came that they should goe: our ves-
 "sel was accidentally drove away by w^{ch} means they were disabled
 "from coming and for the season of neere fourteen days toghether noe
 "vessell could not bee gott in any capacity to transport them: this
 "being the very ground and reason why they came nott: and there-
 "fore wee conceive that w^{ch} providentially fall out men of reason
 "and understanding will bee well satisfied withal * *
 "It is further ordered: that the clarke (at present) shall signe to this
 "above answear in the name of the towne and shall send it backe by
 "Woodbridge men with its direction running thus: viz: To the
 "Honoured Gouvernour and Counsell: and Deputies of the townes
 "of the province asembled toghether at Elizabethtown.

Testis,

EDWARD TARRTE, T. C.

It thus appears that the inhabitants of the town of Middletown
 were willing to acknowledge the government of the Proprietors and
 to send deputies, but they denied the right of the Proprietors to the
 land; nor did they ever rescind the order forbidding their represen-
 tives taking the oath, except with the proviso saving their patent.
 The allusion to the invitation to supper is amusing. It seems that
 this mode of procuring legislative favor commenced at an early day.
 The unsophisticated men two centuries ago could not understand how
 expensive suppers could be paid for, unless they who gave them
 reimbursed themselves from the public funds. It is evident that
 they thought the province was in some way to pay for the feast, their
 offer of payment having been declined. It is probable that the sup-
 per was given at the instance of those representing the Proprietors,
 to induce the deputies of Middletown and Shrewsbury to take the
 oath without the proviso, but they stood firmly by their patent, and
 could not be influenced by filthy lucre or fine suppers.

On the sixth day of December, 1672, Berkley and Carteret, the Lords Proprietors, issued declarations to the people, among which was the following, which proves that Middletown and Shrewsbury still held out: "For such as pretend to right of property to land "and government within our province by virtue of patent from Gov. "Col. Richard Nicolls as they ignorantly assert we utterly disown "any such things—a grant they had from him on condition they "never performed. Lovelace demanded they patent their land "from us and pay our quit rent which if they do we are content "they shall enjoy the land they are settled on but without their "speedy compliance as abovesaid we do order our Governor and "Counsel to dispose thereof in whole or in part." They also authorized the constables of the respective towns to take by warrant from the Governor, by way of distress, from every individual inhabitant, their just proportion of rent due to them yearly beginning on 25th March 1670 and if not thus collected the Marshal of the province be impowered, &c.

In the above it will be observed that the Proprietors did not base their title upon a grant from the Duke of York prior to the Nicolls patent, but upon the allegation that the patentees had not performed the conditions of their patent, in what particular is not stated. The command to collect the rents in this summary way was inconsistent with the previous action of the Governor and Council, for in May, 1672, upon the address of James Grover and others, patentees, and their associates, of the towns of Middletown and Shrewsbury, unto the Governor and Council, for confirmation of certain privileges granted them by Colonel Richard Nicolls, the Governor and Council did confirm unto said patentees and their associates these particulars following, being their rights contained in the aforesaid patent, among which was the following "*Imprimis*, that the said patentees and associates have full power, license and authority to dispose of the said "lands expressed in the said patent as to them shall seem meet." I can only account for the action of the Lords Proprietors in December, upon the supposition that they had not received information of the action of their Governor and Council the previous May. They were certainly bound by the previous action of their Governor and Council confirming the Nicolls patent. Whether lands included in

the Nicolls patent are held under that patent as the original of title, or under returns from the Board of Proprietors, is a question that has never come before our courts. I am informed that a suit will probably be instituted in a few days, which will involve this interesting question, the Proprietors having within a few years grafted to a party, lands which another claims by deeds under the Nicolls patent. The confirmation of this patent by the Governor and Council in May, 1672, also gave the inhabitants of the towns of Monmouth the liberty to make prudential laws and constitutions among themselves according to the tenor of the patent, and if this confirmation was valid it follows that they were free from the Crown before the American revolution, for the Proprietors could not in 1702 surrender the government over them.

In 1670 the quilt rents as claimed by the Proprietors had become due. They who held under Nicolls refused to pay them, and there followed great confusion, not only in the towns of Monmouth, but elsewhere. At length the revolutionists determined to establish a new government. The malcontents in Middletown and Shrewsbury joined this confederacy and elected deputies, who with the representatives of some of the other towns of the province, met at Elizabethtown in May, 1672. Governor Philip Carteret was compelled to leave the province. James Carteret usurped the office, and was sustained by the new Assembly. Philip Carteret left John Berry as his deputy, and remained in England until after the Dutch conquest. It is thought by many that if the war with Holland had not occurred, the government of the Proprietors would have been overthrown by the insurgents.

In March, 1672, war was declared by Charles the Second against the states of Holland. A Dutch squadron invested New York, and the city surrendered. On the thirtieth day of July, A. D. 1673, the victors took possession of the city, and the province of New Jersey, being rent asunder with intestine feuds, was in no condition to resist. A proclamation issued guaranteeing the rights and privileges of the inhabitants upon condition of swearing allegiance to the States General of Holland, and attending at New Orange on a certain day, to take the oath.

In this town book is a copy of the correspondence at the surren-

der. The style of these diplomatic notes, and the antiquity of the events, are my excuse for quoting in full. The first entry is dated August 3d, 1673, and is as follows: "Upon receipt of a summons for choyce of Deputies from the Citty of Niew Orange by order of the Admiralls and Commanders in Chiefe of the fleett belonging to the estates Generall and Prince of Orange: as alsoe by order of Captaine John Berry late Deputy Gouvernour, the towne this day convented together for election: and upon perfect vote James Grover and John Bowne were by the pluralities of votes chosen Deputies to treat with the said Admiralls and Commanders in Chiefe: and unto whom: full power: license: and authority is hereby conferred to make a full and plenary surrender upon such articles as shall be agreed upon."

On the same day the town gave order that the following should be put on record: "The 30th of July Ffort James: and the Citty of New Yorke being this day reduced to the obedience of the States Generall and Prince of Orange by certain shippes of warre: the Admiralls and Commanders in Chiefe of the sayd Fleet sent a summons to this towne to come and yield to certain articles of surrender the 5th of this present month: other wise to expect to be subdued by force of armes: a true copy of w^{ch} summons is as followeth: viz: The Inhabitants of Middletown and Shrewsbury in the Province of New Jersey are hereby forcibly charged and required to send their Deputies of their sayd townes to this place on Tuesday morning next: for to treat with us uppon certaine articles of surrendering or by refusall: wee shall bee nesecitated to subdue you by force of armes: Dated at the Stadt house at the Citty of New-Orange this first day of August 1673.

"Cornelius Everson de Joyce

"Jacob Behell

"Nicholas Biard, Secretary

"By order of the Admiralls and Commanders in Chiefe
"of the fleet riding in the North River.

Here follows the Deputy Governors' warrant:

"You are hereby required to make choyce of two Deputies for your towne: and that they appeare at New Yorke on Tuesday morning next being the fifth instant to consider and

“advise of what conditions shall bee thought fitt to endeavour to
 “obtaine : being required by the Generall to give you notice of the
 “time apoynted for debating and determining the same. Given
 “under my hand this first day of August 1673.

“John Berry.

“To John Bowne Esq to be published at a
 “towne meeting in Middletown the
 “sayd Deputies to bee chosen by the
 “inhabitants”

“Upon all which the town acted.”

The next entry relating to the Dutch conquest is dated

“August 26th, 1673. *Stilo novo.*

“Upon receipt of an order from the Commanders in' Chiefe and
 “Counsel of Warre: resident in Fortt William Hendrick at New-
 “Orange: (for choyce of six persons being inhabitants of the towne
 “to bee presented to the commanders as above s^d: to take three for
 “towne magistrates: as alsoe for choyce of two Deputies to act at
 “Woodbridge according to the tenor of the abovesaid order) the
 “towne: this day convented together for election : and upon perfect
 “vote the choyce was as followeth:” &c., &c.

Subsequently all the inhabitants of the townes were required to take the oath of allegiance to the new government. On the twelfth day of September, 1673, an order came from the Council of War in Fort Orange for a list to be taken of all above sixteen years of age, and for choice of military officers. This was the last order that emanated from the Dutch government. On the ninth day of February, 1674, a treaty of peace between England and Holland was concluded, by the terms of which the towns in New Jersey were restored to their former owners.

After the conquest, King Charles gave new grants of soil and government, and on the 31st of July, 1674, Sir George Carteret gave new instructions as follows: “Whereas during the late wars between
 “his Majesty and the Dutch the Countrys of New York and New
 “Jersey and other adjacent parts were conquered by them, who have
 “since in pursuance of treaty of peace restored said Countrys to his
 “Majesty, and his Majesty granted same to Duke of York, and Duke
 “of York granted to us all that land, &c extending southward as far

"as a certain creek called Barnegat, about half way from Sandy Point to Cape May, and thence to the Delaware river to and below a certain creek called Renkokus Kill, thence up the Delaware river to the northernmost branch &c." Berkley had previously parted with his undivided interest in the province of John Fenwick (18th March 1673) and doubtless had agreed with him or his grantees upon a line of division corresponding with this grant of the Duke of York to Carteret. The line of this division was afterward materially changed by the quintipartite deed (1st July 1676) which made the eastern terminus of the partition line farther south, and the western terminus farther north. The whole of the Nicolls Monmouth patent was in East Jersey by either division line.

The new Concessions of Carteret disowned the Nicolls patent, and ordered that if the inhabitants did not take out new patents, the Governor and Council should dislodge them. It is difficult to understand this action, after the previous confirmation of the Nicolls title, unless it be that it was held that the Dutch war and conquest destroyed all patents, deeds, and grants. "As to the inhabitants of Navesink" (the concessions continue)" considering their faithfulness to the Lords Proprietors that upon their petition their township shall be surveyed and shall be incorporated and have equal privileges with others, and that such of the inhabitants who were pretended patentees and laid out money in purchasing land from the Indians shall have in consideration five hundred acres of land." Whether the patentees accepted these terms and took out patents from the Proprietors I am not informed, but my impression is that most of them stuck to the Nicolls patent. In what way the inhabitants of Navesink had been faithful to the Proprietors does not appear. It is probable that during the war they deserted the fortunes of James Carteret, and adhered to the proprietary government, for we find them receiving and acting in obedience to orders from Deputy Governor Berry.

In November, 1674, Philip Carteret returned from England, and reassumed the office of Governor. The next general Assembly convened in November, 1675, and was loyal to the Proprietors. The Deputies from Middletown, Captain John Bowne and John Throgmorton, took the oath, as also did John Slocum from Shrewsbury, but William Shatock, the other delegate from Shrewsbury, refusing

to swear or subscribe, was dismissed. At this session an oblivion Act, as it was called, was passed, whereby all actions were utterly abolished against any one who had been a party or in any way concerned in the endeavoring and making an alteration in the government here settled by the Lords, any time from the year 1670, until June, 1673, and the inhabitants, by said Act were absolutely and freely pardoned of all offences whatsoever. And it was further enacted, "that all reviling and upbraiding of others with matters of difference whatsoever remitted and pardoned by the honorable Governor, or abolished *be buried in oblivion*, not to be urged upon what pretence soever upon pain of imprisonment during pleasure, fine, banishment, stocking, whipping, any or more of these." This was full, free and unqualified amnesty.

After the Dutch war closed we find but little more of the controversy as to title to land covered by the Nicolls Monmouth patent, but from this grant and others from Nicolls in other parts of the Province, grew a spirit of discord and dissatisfaction which finally compelled the Proprietors to surrender to the Crown the power of Government over the whole province.

This surrender was made in 1702. Its immediate cause was a long and acrimonious dispute between the adherents of Andrew Hamilton on the one side, and of Jeremiah Basse on the other, each of whom claimed to be Governor of the province. Andrew Hamilton was understood to be in favor of maintaining the proprietary title, and the inhabitants of the towns of Monmouth who had claimed title to their lands under Indian rights and the patent of Nicolls, joined the party which sustained Basse. We thus see that the Nicolls grant to the patentees of Middletown and Shrewsbury, together with other patents from the same source for lands in other parts of the province, caused the overthrow of the provincial government. The surrender of government to the Crown was an important event in the history of New Jersey, and my chief object in this paper has been to show the part the towns of Monmouth took in producing that result.

We are told that seditious meetings were held, and great disorders preceded the surrender of government, but no writer on the subject has given us particulars. In the Clerk's office at Freehold are the

records of the courts of that day. It appears that it was the custom of the Governor to attend and act as Judge. Governor Hamilton attended at the session held at Middletown in March, 1701. The proceedings of the court were interrupted, the Governor with all the officers of the court were taken and held as prisoners for several days, the prisoner on trial rescued and carried off, not on account of any sympathy for the accused, but because the people denied the authority of the Governor and the legality of the court as constituted. The following is the entry.: "Session at Middletown March 1701, "being present Colonel Andrew Hamilton, Governor, Lewis Morris, "Samuel Leonard of the Governors Council, Jedediah Allen, Samnel "Dennis, Justices. The court being opened one Moses Butterworth "who was accused of piracy and had confessed that he did sail with "Captain William Kidd in his last voyage when he came from the "East Indies and went into Boston with him and was bound to make "his appearance at this Court that he might be examined and dis- "posed of according to his Majestys orders. The said Butterworth "was called and made his appearance, and when the Court was exam- "ining him one Samuel Willett Innholder said that the Governor and "Justices had no authority to hold Court and that he would break it "up, and accordingly went down stairs to a company of men then in "arms and sent up a drummer one Thomas Johnson into the Court "who beat upon his drum, and several of the Company came up with "their arms and clubs which together with the drum continually beat- "ing made such a noise (notwithstanding often proclamation made to "be silent and keep the King's peace) that the Court could not exam- "ine the prisoner at the bar, and when there was as the Court judged "atwixt thirty and forty men come up into the court some with their "arms and some with clubs, two persons viz Benjamin Borden and "Richard Borden attempted to rescue the prisoner at the bar, and did "take hold on him by the arms and about the middle and forced him from "the bar, the Constable and the under Sheriff by the command of the "Court apprehended the said Bordens, upon which several of the per- "sons in the court assaulted the constable and undersheriff (the drum "still beating and the people thronging up stairs with their arms) "and rescued the two Bordens, upon which the Justices and Kings "Attorney-General of the Province then present (after commanding

"the Kings peace to be kept and no heed being given thereunto)
 "drew their swords and endeavoured to retake the prisoner and appre-
 "hend some of the persons concerned in the rescue but was resisted
 "and assaulted themselves and the examination of the prisoner torn
 "in parts. And in the scuffle both Richard Borden and Benjamin
 "Borden were wounded, but the endeavours of the court were not
 "effectual in retaking the prisoner for he was rescued and carried off
 "and made his escape. And the people viz Safety Grover, Richard
 "Borden, Benjamin Borden, Obadiah Holmes, Obadiah Bowne,
 "Nicholas Stevens, George Cook, Benjamin Cook, Richard Osborne,
 "Samuel Willett, Garret Wall, James Bollen, Samuel Foreman,
 "William Hunter, Jonathan Stout, James Stout, William Hendricks,
 "John Bray, William Smith, Gershom Mott, Abner Hough, George
 "Allen, John Cox, John Vaughn, Elisha Lawrence, Zebulon Clay-
 "ton, James Grover, junior, Richard Davis, Jeremiah Everingham,
 "Joseph Ashton with others to the number of about one hundred
 "persons did traitorously seize the Governor and the Justices, the
 "Kings Attorney-General and Secretary and the Clarke of the Court,
 "and the under Sheriff and kept them under guard close prisoners
 "from Tuesday the twenty-fifth of March till the Saturday following
 "being the twenty-ninth of the same month and then released them-
 "Gavin Drummond, clerk."

I have given the above extract from the minutes of the court in full, because it is the only circumstance on record showing the nature of the difficulties and disorder which immediately preceded the surrender.

I have confined myself to a period between 1664 and 1702, principally to the part taken by the towns of Monmouth in what has been called the provincial revolution. Much of interest in reference to other events during that period might be given,—the difficulties with the Indians, their treatment and the precautions of the inhabitants for defence,* the proceedings of the courts, illustrating the character and civilization of the people,—the biography of some of the public men who figured in those early days, such as Lewis Morris, the uncle of the celebrated man of the same name who figured in

* See Note 5.

New Jersey in the early part of the eighteenth century—or John Bowne, often a representative and for a time during the controversy between Hamilton and Basse the Deputy Governor of the province. I might also speak of others of those early inhabitants of the towns on the Navesink, such as Garret Wall and Gershom Mott, ancestors of men distinguished in this century. I might also trace the history of Monmouth from the time of the surrender to and including the American revolution, in which her people played a conspicuous part. This would doubtless have been more interesting to the public, but as the time allotted was not sufficient to traverse the whole field, I thought I could contribute a more valuable gift to history, and better promote the object of your society, by giving without much comment the heretofore unwritten and unpublished action of the towns of Monmouth during the provincial revolution.

In its early settlement and up to the beginning of the present century, Monmouth was the most populous and most wealthy county of New Jersey, and although shorn of a large portion of its territory, it is still second to none of the agricultural counties.* From the earliest times the inhabitants of Monmouth have exercised great influence in public affairs. Monmouth has always been in Southern New Jersey what Essex, another original county, has been in northern, “a power in the state.”

* See Note 6.

NOTES.

(1). For the power of Attorney or Commission from the Duke of York to Colonel Nicolls, under which the Monmouth Patent was made. See Leaming and Spicer.

(2). For the Monmouth patent in full, see Leaming and Spicer.

This patent is recorded in New York, and also in the first book of records in the clerk's office of Monmouth County. The book in which it is contained is a book of deeds commencing about the year 1667.

(3). The proceedings of the General Assembly that convened at Portland Point, is preserved in one of the old books in the Monmouth County Clerk's office. The record of the first meeting opens thus: "At a General Assembly the 12th of December 1667. Officers chosen by the inhabitants of Middletown on Newasunk neck and established by oath at this present Assembly or Court held this day and year above written.

Officers for Middletown

Richard Gibbons	Constable
Jonathan Hulms	} Overseers
William Lawrence	
Shem Arnold	} Deputies
James Ashton	

For Portland Point

Henry Perey
Richard Richardson
James Bowne

Officers for Shrewsbury on Narumsick

Peter Parker	Constable
Edward Patterson	} Overseers and Deputies "
Eliakim Wardell	
Barth West	

Then follows this entry as a heading:

"The several acts or orders enacted at this present Assembly upon the proof presented by the inhabitants to the Patentees and Deputees are in order set down viz." Here follow the acts passed upon a variety of subjects.

(4). This old town book was found by me among the papers of Middletown township in possession of the town clerk. The town book of Shrewsbury has not been found. This old book shows that it is not a copy, but the original, written at the time it bears date, and contemporaneous with the events recorded. The handwriting is that of a man of some culture and business experience, in the old style of penmanship, but legible. The book is covered with deerskin. On the first page are the names of the patentees and householders, and the number of the lot allotted to each. There were thirty-six lots in what is now the village of Middletown, and it is supposed that there was a house or cabin on each of the lots. The people were afraid to live outside of the town because of wild beasts and Indians, and it must have required at least thirty-six houses in Middletown to accommodate the number of inhabitants then there. Some of these lots can still be identified as containing the original number of acres. This book not only contains the proceedings of town meetings, but also the record of the overseers' courts of the town instituted under the Nicolls patent, the marks of cattle, the record of deeds, agreements and marriages. The following is a copy of record of marriage: "January 3, 1672. John Smith and Mary his wife after legall publication were this day coupled together in marriage by John Bowne Justice of Peace."

(5). The Indians residing permanently on the Nicolls patent were not numerous. Many came from the interior to pass the Summer near the shore, and returned in the Autumn by the Minnisink path. Still quite a number made the hills about Middletown their home during the entire year. The inhabitants from time to time had considerable trouble with them. They built a fortification at Middletown to protect themselves against the Indians. The following are some of the entries in the town book relating to the Indians:

"January 6, 1667. Concerning woulnes. It is ordered that if any one shall "kill a wolfe he shall have twenty shillings for his paines, alsoe if any Indian "shall kill a wolfe and bring the head to the Constable: the Indian shall have "for his reward twenty gilders, provided it can be dicerned that it is killed "within ten miles of the towne."

"September 9th, 1670. The Constable and overseers with the asistance of "the towne Deputies (taking into consideration the dangerous practice of selling "liquor to the Indians w'ch: (for some years past) hath at severall times: occa- "sioned mischiefe in the towne: and moreover: considering that nott onely noe "course is taken in the generall: for the obstructing of the dangerous practise: "but allsoe: the eminent danger w'ch dayly hangs over our heads: the weak- "nes of the towne to withstand the rage and fury of the numerable Indians: "w'ch inhabites about us: for the present safety and preservation of his majes- "ties subjects the inhabitants of Middletown did upon the 9th of this present "month: upon this following ground conclude upon the following order.

"Whereas wee have found: as well by woefull experience as allsoe by severall complaints of many inhabitants of this towne of the mischiefes and dangers occasioned by some: trading of strong liquor to the Indians: by w'ch many of them: having bin drunken and distempered with the said liquor have oftentimes offered violence and fury to several of the peaceable inhabitants: who have bin endangered of their lives: for the future prevention of all such mischiefes and dangers occasioned by the violence and fury of the Indians in their drunken distempers: and for the maintenance of the peace of our Sovereigne Lord the King: doe hereby order and enact that noe person whatsoever shall either directly or indirectly sell or trade any sort of wine: strong liquor: or strong beerre to any Indian within the limits of this towneshipp: upon the penalty of the forfeiture of ten pounds for every such default and that after due proces made to be forthwith levied upon his estate: the one-half to the informer: and the other to bee disposed of: at the discretion of the Court:

"It is likewise ordered that all Indians that any time shall bee found drunke in the towne or neere about shall bee sett in the stocks till they bee sober."

"It is further ordered and agreed upon: that it shall bee lawful: within the limits of this towneshipp: for any person to seize upon any sort of wine strong liquor: or strong beerre that is in the possession of any Indian: and take it away from him: allwaies provided that the seizer or taker gives account to an officer Constable what he hath done."

"John Hauns having covenanted this day to make a paire of stocks for the towne: is to receive twelve shillings sixpence for his reward."

Men were appointed to watch at night the drunken Indians, some of whom refused to serve and were tried before the town court organized under the Nicolls patent. The following is a copy of proceedings in one of these cases:

"September 9th 1670. At a court holden in the towne of Middletown, present

"Edward Smith	Constable	
"Jonathan Hulmes		} Overseers
"William Lawrence		
"James Grover		} Patentees
"John Bowne		
"Richard Stoute		} Asisting
"Richard Gibbins		

"The Constable testified that he required John Job to aide him: and hee refused: and further to watch with the drunken Indians: w'ch thing allsoe hee denied: and further the said Job said: what a divell have I to doe with you or his majesty either: and further said (when others laid hold on him at the Constables comand: his shirt then tearing) a plague confounde yee all *

"John Job pleaded that hee knew nott that hee was constable *

"The sentence of the Court in this Case: whereas John Job hath been convicted before the Court for breache of order in refusing to obey the Constable therefore the Court doe fine the said John Job 40 shillings and pay court charges.

On the same day another trial was had for the same offence. The record is as follows :

"The Constable testified that Richard Sadler said : his son should nott watch :
"and the next morning hee charged the constable with these words viz. You are
"sett to keepe the King's peace and you breake it: and further said what boys
"play did you play last night. This the said Sadler denied.

"The sentence of the Court in the Case

"Whereas Richard Sadler hath bin convicted before the Court for contumelious speeches of the Constable. Therefore the Court doe fine the sayd
"Richard Sadler twenty shillings: or else to make a publick acknowledgement
"of his offence in open towne-meeting and pay Court charges.

(6). The two towns of Middletown and Shrewsbury were first called the county of Middletown and afterwards for a short time the county of Navesink. The name of Monmouth was given about the year 1682. The township of Freehold was settled shortly before the year 1700, and in 1715 the county seat was established therein. The courts which previously had been held at Middletown and Shrewsbury, have since 1715 convened at the town of Freehold, for a long time called Monmouth Court House.

PROCEEDINGS
OF THE
New Jersey Historical Society.

SECOND SERIES.

VOL. III.

1873.

No. 2.

TRENTON, January 16th, 1873.

The Society met in accordance with their By-Laws at 12 M., in the rooms of the Trenton Board of Trade, the President, REV. RAVAUD K. RODGERS, D. D., in the chair. The REV. SAMUEL M. HAMILL, second Vice-President was also present, and members were in attendance from various parts of the State.

The minutes of the last meeting were read by MR. DAVID A. HAYES, the Recording Secretary, and approved.

The correspondence of the Society since May was submitted by MR. WILLIAM A. WHITEHEAD, Corresponding Secretary, who noticed with more or less particularity the letters received. Among them were, a number from gentlemen accepting membership, and others from the Historical Societies of Maryland, Rhode Island, Minnesota, Georgia and New York, the Historical and Philosophical Society of Cincinnati, New York State Library, New England Historic Genealogical Society, Essex Mass. Institute, Smithsonian Institution and U. S. Department of the Interior, acknowledging the receipt of the Society's publications, or transmitting donations for the library; which was also the character of others from Gen. J. Watts DePeyster, of New York; Rev. C. Bradlee, of Boston; Hon. F. T. Frelinghuysen, Hon. Daniel Haines, Mr. Wm. Nelson, J. Wingate Thornton, Esq., of Boston, and the State Librarian. Communications from Miss Louise Skinner and Mrs. Professor Chilton, of New Orleans, brought to the notice of the Society two valuable

collections of coins obtained in that city. Rev. E. T. Corwin, of Millstone, and Miss Lucy C. Stickney, of Salem, Mass., drew attention to the Corwin and Kinsman Genealogies just published. Mr. Edwin Salter, of Washington, transmitted manuscript copies of several documents bearing upon the history of Monmouth county in 1673-74. Mr. Charles Whittlesey, President of the Western Reserve Society at Cleveland, forwarded a memorial for the approval of the Society, asking Congress to secure certain important documents now in France relating to early French Discoveries on the Lakes and Mississippi. Hon. John Clement, of Haddonfield, communicated some information relative to the West Jersey Society, so intimately connected with the history of that portion of the State and a number of other communications had reference to the operations of the Society. Many of the letters were of great interest, and showed that the efficient part the Society is taking in advancing historical researches is widely recognized and appreciated.

The Treasurer, COL. ROBERT S. SWORDS, reported a cash balance in the treasury of \$700.68, and invested funds amounting to \$1,693.89.

The Executive Committee, referring to the statements submitted by the officers and special committees, for all the necessary information respecting the business of the Society since their last report, confirmed in general terms the favorable impression those statements were calculated to convey, as to the prosperity of the Society. Each year adds to the confident expectation that its foundations have been too well laid, and the services it has rendered too important, for any doubts to be entertained of its continuing to receive ever increasing favor from every citizen interested in the history of the State; the only drawback on its advancement in its useful course being the limited pecuniary resources at its command; the increase of its library and other most desirable ends not otherwise attainable, having necessarily to be postponed until more propitious times.

"It is with great regret" said the committee, "that we formally announce, that MR. SAMUEL HAYES CONGAR, the Librarian, died on the 29th July last, on the very premises and in part of the very house where he was born on the 10th December, 1796, after an active,

industrious and useful life. He was descended in the male line from John Conger, one of the early settlers of Woodbridge, in Middlesex County, and on the female side was connected with the families of the Swaines, Lyons, Denisons, Bruens, Kitchells, Hayes' and Tompkins', all identified with the early history of Newark.

He entered early into busy life, being placed in a drug store in Newark when eleven years old, and, with the exception of one quarter's subsequent tuition, all his school education had been previously received. In his sixteenth year he was apprenticed to a coach painter, which became thereafter his pursuit until 1855 when, in his 59th year, he retired from active business.

In early life he became librarian of the Apprentices Library of Newark and held the position for many years, therein laying the foundation of his subsequent acquaintance with books and literary matters.

An attempt being made in 1845 to utilize the old Burying Ground in Newark by appropriating it to other purposes, Mr. Congar's interest in the remains of his ancestors therein deposited led him to take an active part in opposition to the so-called improvements. Extended researches into the genealogies of the families interested were the result, until he became possessed of more general genealogical and antiquarian information relating to the Northern part of the State, especially Essex County, than any other of our citizens. The fruit of these researches was many valuable articles, generally published in the Newark Daily Advertiser, embodying a large amount of interesting antiquarian lore which would probably have never been preserved but for him.

He became a member of the Historical Society in May, 1848, and was appointed Librarian in 1852; an office for which his tastes rendered him particularly well qualified. The genealogies which he contributed to the volume issued by the Society in 1866, in commemoration of the Bi-centennial celebration of the settlement of Newark, added materially to its interest; and he also took an active part in editing the Town Records published by the Society in 1864.

Mr. Congar's high character for integrity led to his being often entrusted with the financial interest of others, and he was associated with several of the business institutions of Newark. He connected

himself with the Presbyterian Church while yet a young man, and took an active and efficient part in Sunday School work, as well as in the vocal services of the sanctuary.

His whole career illustrated what may be accomplished in a literary direction by one who had few educational advantages in early life, and little leisure at any time, through a judicious use of spare moments which most persons are apt to squander.

The Committee feel that by Mr. Congar's death the Society has lost a most useful member."

After some eulogistic remarks by MR. PETER S. DURYEE, that portion of the Committees Report referring to Mr. Congar, was directed to be entered at length on the minutes of the Society.

The Committee on the Library submitted a statement of the additions made to the books and pamphlets since May.

"As the increase of the library"—said the report—"so long as the money resources of the Society are so limited, must depend entirely on donations, the Committee are prompted to urge upon the members generally the cultivating of a higher appreciation of the services they may render in that direction. Opportunities are frequently occurring when old and sometimes very rare books can be obtained at little cost, or when from the rubbish of garrets, papers and manuscripts may be rescued that, however valueless to the owners, will always be thankfully received by us. And not only will such as have the stains and dust of age upon them be thus welcomed, but also such as are connected with recent events. We are apt to forget that we are daily enacting history; that the occurrences which seem to us of trifling import because so familiar to us, enter into the composition of both the "warp and woof" of that *future*, which will be the *present* of those who are to succeed us; furnishing the threads that go towards rendering the texture perfect, and stamping upon it indelibly the results of *our* theories, *our* policies, and *our* doings. It is difficult to imagine any thing of a documentary character not included within the scope of the Society's operations, organized, as it is, "to discover, procure and preserve" whatever may serve to illustrate our history. The pamphlet, the circular, the handbill, the advertisement, issued for private ends or to promulgate

the views and doings of parties or associations: the newspaper of the day with its countless references to persons, things and events, the transactions of the market or the exchange, all constitute links in that wondrous chain upon which the future hangs. Every member is therefore called upon to add to our collections things new as well as old."

On referring to the death of the Librarian the Committee stated that under the general authority conferred upon them of supervision over the library, they had thought it advisable to secure the temporary services of Rev. Samuel Hutchings, of Newark, as assistant and acting Librarian. As the office of Librarian is one which calls for considerable attention and self-denial on the part of any member who may hold it, for which no remuneration is provided, the Committee were not prepared to name any gentleman as successor to Mr. Congar; and recommended that the temporary arrangement existing might be continued until the next meeting, which recommendation was agreed to.

The Committee on Publications reported the issue of another number of the Society's "Proceedings" since the last meeting.

The Finance Committee reported that, as instructed by the Society, they had issued a circular calling for renewed subscriptions to the Library Fund, to which only a few responses had been made, so that the condition of the fund had not been benefitted. The present subscriptions will generally expire next year.

The Committee draw attention to the fact that a few of the old members of the Society had liberally borne the expenses of the library for many years past, had obtained at their own cost from abroad the Analytical Index to our Colonial Documents, and had purchased and presented to the Society a valuable lot of ground in Newark whereon to erect a suitable edifice for the occupancy of the Society, and it was consequently only equitable that those who have become more recently connected with the Society should begin, at least, to walk in the steps of their predecessors.

A large number of gentlemen were reported on favorably by the Nominating Committee and on being ballotted for were duly elected. Other nominations were received.

The Chair appointed the Standing Committees for 1873 as follows :

Committee on Publications—William A. Whitehead, Samuel H. Pennington, M. D., John Hall, D. D., William B. Kinney, Joseph N. Tuttle.

Committee on Library—Martin R. Dennis, Peter S. Duryee, Edward Sealey, Robert S. Swords, Robert F. Ballantine.

Committee on Finance—Joseph N. Tuttle, William B. Mott, L. Spencer Goble, John C. Johnson, Charles E. Young.

Committee on Statistics—N. N. Halstead, F. Wolcott Jackson, E. M. Shreve, Arthur Ward, M. D., William Nelson.

Committee on Nominations—David A. Hayes, David Naar, Robert B. Campfield.

Rev. Dr. Abeel, Messrs. Peter A. Voorhees, and Martin R. Dennis were appointed a Committee to nominate officers for the ensuing year, and subsequently reported the following, who were duly elected :

OFFICERS FOR 1873.

President—RAVAUD K. RODGERS, D. D., Bound Brook.

Vice Presidents—HENRY W. GREEN, L. L. D., of Trenton ; SAMUEL M. HAMILL, D. D., of Lawrenceville ; WILLIAM B. KINNEY, of Newark.

Corresponding Secretary—WILLIAM A. WHITEHEAD, of Newark.

Recording Secretary—DAVID A. HAYES, of Newark.

Treasurer—ROBERT S. SWORDS, of Newark.

Executive Committee—Samuel H. Pennington, M. D., of Newark ; N. Norris Halstead, of Kearney ; John Hall, D. D., of Trenton ; John Clement, of Haddonfield ; Charles C. Haven, of Trenton ; Peter S. Duryee, of Newark ; Samuel Allison, of Yardville ; Theodore F. Randolph, of Morristown ; Hugh H. Bowne, of Rahway.

As recommended by the Library Committee, the office of Librarian was left vacant. The duties will continue to be performed by the REV. SAMUEL HUTCHINGS, Assistant Librarian.

The Special Committee on Colonial Documents made the following report :

“To the Historical Society of New Jersey :—The Special Committee appointed by this Society at its last meeting to carry out the provisions of a supplement to an Act antitled “An Act for the better preservation of the Early Records of the State of New Jersey,” which act entrusts to this Society the responsibility of procuring copies of Colonial Documents, Papers and Minutes of Council referring to the History of the State of New Jersey, now on file in the State Paper Office, London, England, respectfully report :

“That in accordance with the authority thus conferred, your Committee immediately opened a correspondence with Mr. Henry Stevens, of London, whose familiarity with the early annals of the country and with the modes of procedure necessary to obtain access to the public archives of England, and whose experience in previous researches for the Society, and for other States and institutions, render him especially qualified for the duties demanded from a resident agent ; and your Committee were so fortunate as to secure his aid on satisfactory terms

“As is already known to the members of the Society, it was through the agency of Mr. Stevens that the “Analytical Index” to our Colonial Documents, which constituted the basis of the fifth volume of the Society’s “Collections,” was obtained, and your Committee were greatly aided in their selection of papers to be first copied by reference to that work.

“Your Committee first directed the completion (as far as might be found practicable) of the Legislative Annals, especially of the Minutes of Council, of which the State was without a copy of dates prior to the year 1776. They next examined the Analytical Index in chronological order, and selected such documents as seemed to be most desirable, omitting those that are accessible in the United States, whether in print or manuscript. The possession of this Index, which was procured by private subscriptions from members of this Society, has thus not only saved to the State a considerable sum, which otherwise must have been spent in preliminary examinations, but has also saved much time in the selection of documents and in carrying out the objects of the act.

“In making this first selection, many documents, which your Committee thought desirable, were passed, until it could be ascertained

how many of the most important papers could be had under this appropriation. Any surplus, or any future sum given by the State for this purpose, can be applied to procure those documents of less importance, which for the present have been passed.

"Your Committee report that the result of Mr. Stevens' agency has been as favorable as was at first anticipated. By the last advices received from him, they are informed that a large corps of copyists and examiners are at work, and that all the copies would probably be ready for transmission early in February, and thus arrive in time to be submitted to the Legislature before its adjournment. Mr. Stevens' mode of procedure is likely to ensure perfect correctness of copy, not only as to matter, but also as to form, orthography, punctuation and capitalizing, so that the copies will be as valuable for reference as the originals. A specimen sheet has been received and transmitted to the Governor.

"Your Committee earnestly hope that the Legislature may continue to prosecute the good work so well begun by them, until the documentary history of New Jersey in our possession shall be as complete as possible; not only by the acquisition of such other papers from abroad as may be desirable, but also of such papers as can be obtained in private or public collections in the United States. It may then seem desirable to print the whole in consecutive order, for preservation in the manner already done by some of the other States.

"Your Committee recommend that this Society assume the care and responsibility of such publications, so far as appropriations for that purpose, may from time to time be made by the State."

All which is respectfully submitted.

NATHANIEL NILES,
JOEL PARKER,
DANIEL HAINES,
W. A. WHITEHEAD."

"Trenton, Jan. 16th, 1873."

In connection with their report the Committee submitted communications from MR. STEVENS giving the details of the mode of proceedings to obtain the copies, and of the progress of the work.

REV. JOHN HALL, D. D., referring to the remarks of the Committee on the Library upon the value with which trivial memoranda became oftentimes invested in after years, made some interesting statements respecting a collection of interleaved almanacs existing in Trenton, which had belonged to the Rev. Wm. Fraser, an early missionary, containing notes of public and private events for many years, illustrating the history of Trenton during the period in a remarkable degree.

Dr. Hall was requested to obtain these diaries for the Society if possible, and if not, to take steps to get their contents into print.

A communication was received from MR. CHARLES MEGILL of Trenton, describing the remains of an ancient Fort or Block-house, recently unearthed in Trenton, which seems to have been built early in the last century. MISS STAFFORD presented a specimen of the brick used in the construction of the Block-house, indicating a foreign origin.

MR. DAVID B. BODINE, Executor of the late Ex-Governor George F. Fort, M. D., presented that gentleman's portrait, his Diploma from the Medical Society of Pennsylvania, and the various commissions he had received for the public offices he filled in New Jersey, which in his will he requested should be deposited with the Society.

The Committee on the Library having reported that the Society had received as a donation, some years ago, and had still in its possession, a volume of records belonging to the East Jersey Proprietors, it was, on motion of COL. SWORDS

Resolved, That in accordance with the recommendation of the Committee on the Library, the folio manuscript volume in the possession of the Society, known as Liber I of Patents, be returned to the Register of the East Jersey Proprietors at Perth Amboy.

The Society then took a recess for dinner, and on re-assembling a paper was read by Mr. ADOLPHUS P. YOUNG, "On Events in the Shenandoah Valley, particularly with reference to the battle at New Market on the 14th May, 1864," which elicited much commendation; and on motion the thanks of the Society were returned to Mr. Young therefor with a request that, should he not carry out his present intention of publishing a history of those events, he would deposit a

copy with the Society. This was followed by "Passages in the History of Somerset County," by REV. ABRAHAM MESSLER, D. D., of Somerville, which were listened to with great interest.

After some complimentary remarks by COL. SWORDS, REV. DR. HAMILL and others, a similar resolution and request to those referring to Mr. Young's paper were adopted, the President, on putting the question, expressing a wish that what had been so well done at the previous meeting by Gov. Parker for Monmouth County, and by Dr. Messler at the present one for Somerset County, might lead others to furnish papers on the history of every county in the State.

COL. SWORDS gave notice that at the next meeting he would offer an amendment to Section VII. of the Constitution, making the annual dues of resident members three dollars instead of two, as at present.

After a vote of thanks to the Trenton Board of Trade for their liberality in tendering the use of their rooms, the Society adjourned to meet at Newark on the third Monday of May next.

Selections from Correspondence and Papers.

LAI D BEFORE THE SOCIETY, JANUARY 16, 1873.

FROM MR. WILLIAM NELSON.

PATERSON, N. J., JULY 6th, 1872.

WM. A. WHITEHEAD, ESQ.

DEAR SIR:—Perhaps I have omitted a duty in not earlier formally notifying you of my acceptance of the membership of the New Jersey Historical Society, to which I was elected on the 16th May.

* * * * * The work already done by the New Jersey Historical Society is of inestimable value, and can only be appreciated long years hence, by the future historians of our State and their readers. * * * * * As DeQuincy forcibly remarks: "For a man to reach a remote posterity, it is sometimes necessary that he should throw his voice over to them in a vast

arch—it must sweep a parabola—which, therefore, rises high above the heads of those next to him, and is heard by the bystanders but indistinctly, like bees swarming in the upper air before they settle on the spot fit for hiving.”

I accept the membership of so admirable a Society with great pleasure. At the same time I feel it brings with it a responsibility—to contribute as far as possible to the Society's objects. This I shall endeavor to do to the best of my ability, amid the cares of an exacting profession, whose business is to record for present and future use and gratification the history of the wonderful present.

I sent you last week a copy of the WEEKLY PRESS, containing a paper read by myself at a recent meeting of our County Historical Society.

The notices of the Indian tribes, and of the settlement of Acquackanonk, contain some local information that may be new and perhaps interesting to you. Some of that matter was introduced purposely to elicit from our older families additional information on the subjects alluded to, and not without success, for already I hear of old account books of the 17th century, ancient certificates, deeds, etc., that may contain interesting items. I have made a nearly perfect copy of the Acquackanonk Ref. Church Records, containing a complete record of the church organization, 1694-1770, baptismal register for the same period, and marriage record, 1726-50. Will be glad to give you any facts it contains.

* * * * / Have you seen the historical discourse of the late Rev. J. V. N. Schenck, of the Pompton Plains Reformed Church? It is an interesting contribution to the early history of that locality. The most important portions of it, however, were communicated by the Rev. Garret C. Schanck, of Monmouth.

Pardon me for intruding thus much on your time, and let me close at once, assuring you that I am ever

Very respectfully yours,

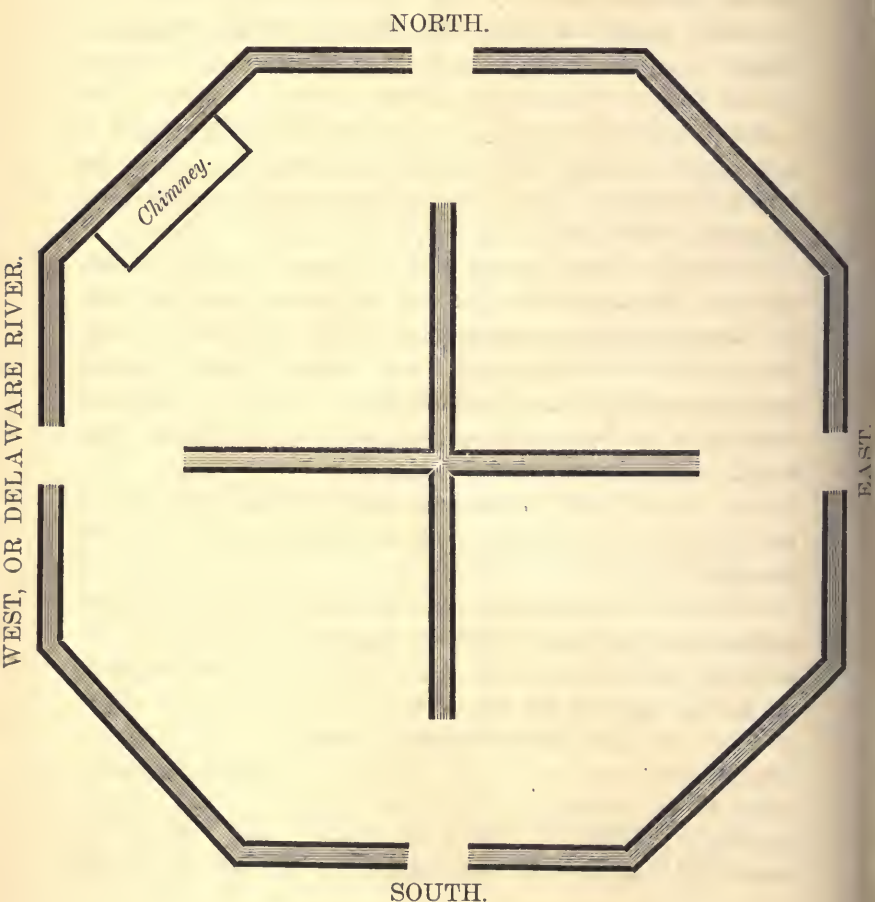
WM. NELSON.

[In a subsequent letter dated Sept. 5, 1872, Mr. Nelson says :

“I have recently rescued from probable loss or destruction the

Town Book of Saddle River, Bergen County, 1739-1830, containing full minutes of town meetings, road districts, town expenditures, &c. It is in my possession and will probably remain with me."]

FORT, OR BLOCK HOUSE.



FROM MR. CHARLES MEGILL.

TRENTON, N. J., JANUARY 16th, 1873.

To the Members of the New Jersey Historical Society :

GENTLEMEN :—Allow me the pleasure of presenting to you a statement respecting the discovery in August, 1872, of an old English Fort, or Block-House on land now belonging to Mr. Bernard Consolly, situated at the corner of Ferry and Bloomsbury (now Warren street,) in the city of Trenton, New Jersey. This place at an earlier period was called Nottingham Township, Burlington County.

This Fort, or Block-House appears to have been built, or in existence, at least forty-six years previous to the Declaration of Independence, and was built in an octagon form, or what may be termed at the present period of time eight square, and having interior transverse ways of walls.

The size of the building appears to have been about sixty feet in diameter. The foundation walls were composed of hard gray stone and laid about two feet thick with mortar, and running six feet deep. The walls had four openings, each opening about three feet wide and facing to the North, South, East and West. On the outside of the walls, facing the Delaware river, there was built up against the same a brick wall about one foot thick and four feet deep, of hard burnt bricks—intended, as is supposed, as somewhat of a protection to that part of the Fort facing the river, and against the effects of cannon or musketry.

On the Northwest corner of the building there was an old stone and brick chimney about six feet wide and six feet deep, from the surface to the foundation; and in one corner of the chimney near the said foundation, there was found three copper coins one of the the pieces was quite thick and perfectly smooth on both sides, but nothing legible as to date. The other two pieces were what are called English half-pennies and bore the inscription of George the Second of England, the date of one is very clear, 1730, and the other 1732. One of the said coins is in the possession of Mr

Benjamin Fish, of Trenton, and the other of C. Megill. This Fort, or Block-House, is supposed to have been built by the English Government; and from its peculiar nature and construction is worthy of further interest and investigation—as there is no history concerning its uses, or purposes, but it is supposed to have been built as a protection to the ferry at this point: or as a defence of the inhabitants against the destructiveness and hostilities of the Indians.

The oldest inhabitant of Trenton now living cannot give the least account of it. Mr. Benjamin Fish, who is now in his 85th year, and who had lived for nearly fifty years near the locality alluded to, says that he has no recollection of such a building. Also Mrs. Catherine Barnes an aged lady, one of the oldest residents now living in Trenton, and who at the present time is in the ninety-second year of her age, was born not one hundred feet from the place, or Fort, and who has been acquainted with the locality ever since her birth, says she does not recollect any such place in her earlier days. As this small sketch may be of much interest to those coming after us, I leave it with your Society. I have drawn a draft of the Fort, or Block-House and append the same to this communication.

Respectfully yours,

CHARLES MEGILL.

TREASURER'S STATEMENT

of Receipts and Disbursements from January 1st, to December 31st, 1872,

1872.	RECEIPTS.	1872.	EXPENDITURES.	
	From Initiation Fees.....	\$124 00	To Rent of Rooms.....	\$450 00
"	" Annual Dues.....	274 00	" Expense Account, including care of Rooms, Fuel, Advertising, Printing, Expressage, Commissions paid for Collecting, Postages, &c., &c.....	135 16
"	" Interest on Deposits in Newark Savings Institution.....	74 20	" Printing and Publishing Proceedings, two numbers....	204 50
"	" Sales of Publications of the Society Collections and Proceedings.....	109 61	" Salary of Acting Librarian from 5th Nov.....	45 00
"	" Life Member Fees.....	45 00	" Life Member Fees Deposited in the Dime Savings Institution.....	45 00
"	" Subscriptions to Library Fund.....	220 00	Dec. 31 Balance of Cash on hand.....	700 68
"	" Rent of Room to Board of Trade.....	300 00		
	Balance cash on hand 31st Dec., 1871.....	433 53		
		<u>\$1,580 34</u>		<u>\$1,580 34</u>
	Library Fund indebted to General Fund.....	\$277 18		
	Annual Dues in Arrear.....	\$144 00		
	ASSETS.			
	Lot of Land in West Park street, value say.....	\$10,000		
	Cash on Deposit in Newark Savings Institution.....	1,060		
	Cash on Deposit in Dime Savings Institution Life Member Fees and accretion of interest.....	633 89		
	Cash In Treasury.....	700 68		
		<u>\$12,394 57</u>		

ROBERT S. SWORDS, *Treasurer.*

Newark 31st. Dec., 1872,

The undersigned a Committee appointed by the Finance Committee to audit the accounts of the Treasurer, hereby report that, we have examined the same and the accompanying vouchers, and find them correct and true.

CHARLES E. YOUNG, } *Committee.*
JOHN C. JOHNSON. }

The undersigned a Committee appointed by the Finance Committee to audit the accounts of the Treasurer, hereby report that, we have examined the same and the accompanying vouchers, and find them correct and true.

CHARLES E. YOUNG, }
JOHN C. JOHNSON. }

Donations.

ANNOUNCED JANUARY 16, 1873.

From Robert Clark, Publisher—Fifth Reunion of the Society of the Army of the Cumberland held at Detroit, 1871.

From the Boston Numismatic Society—The American Journal of Numismatics, Vol. VI., Nos. 1, 2, 3 and 4. July, 1871 to April, 1872.

From Rev. J. S. Tuttle—Obituary. In memory of Rev. Charles H. Marshall, of Indianapolis.

From Gen. Albert J. Myer, Chief Signal Officer—Three copies of the Tri-daily Weather Map, and three copies of the Tri-daily Bulletin. Current issue, May 28, 1872.

From Hon. F. T. Frelinghuysen—Congressional Globe, Part 1st and 2d, 3d Session 41st. Congress, 1800-71, and Appendix 3 vols. Report of Superintendent of Coast Survey.

Report of the Joint Select Committee to inquire into the condition of the late Insurrectionary States.

From the Publishers—The American and Historical Record and Repertory of Notes and Queries. Edited by B. J. Lossing. Vol. I., Nos. 6, 7, 8, 9, 10, 11.

From the Newark Board of Trade—Holbrook's Newark City Directory, 1871-'72, 1 Vol.

From F. W. Ricord, Mayor of Newark—The Mayor's Message together with the Reports of the City Officers of Newark, N. J., for the year 1871.

From the College of New Jersey—Callender of the College, 1871-'72.

From Flavel Sullivan—A box containing a collection of sundry copper tokens, 89 in number.

From Department of the Interior—Documents of the 1st and 2d Session of the 41st Congress. 37 volumes.

One set of the Documents of the 3d Session of the 41st Congress, 28 volumes.

From N. N. Halstead—Proceedings of the National Agricultural Convention, held at Washington, D. C., Feb., 1872.

From Wm. S. Stryker, Adj't. Gen. of N. J.—Official Register of the Officers and Men of New Jersey in the Revolutionary war, by Wm. S. Stryker. 1 Vol., 8vo.

From the Author—A compendious History of New England from the Revolution of the 17th century to the death of King George the First, by John Gorham Palfrey.

From Charles Henry Hart—A vindication of the four laymen who requested the three Bishops to present charges against Bishop Doane.

From Thomas G. Bunnell—The first Sussex Centennary, containing the Addresses of B. B. Edsall, Esq. and Rev. J. F. Tuttle, with Notes, Appendix, &c.

From Col. R. S. Swords—The Fourth Annual and First Statistical Report of the Board of Trade of the city of Newark, for the year ending 31st Dec., 1871.

Map of Weequahick Lake.

Proceedings of the First Meeting of the National Board of Trade at Philadelphia, June, 1868.

Catalogue of the Governors, Trustees and Officers, and of the Alumni and other graduates of Columbia College (originally King's College,) in the city of New York, from 1754 to 1870.

Report of the Committee of the Alumni Association of Columbia College, on the location of the College. Adopted May 17, 1872.

Annual Report of the President of Columbia College made to the Board of Trustees June 3d, 1872.

Annual Report of the Chamber of Commerce of the State of New York, 1871-'72.

Fifth Annual Report Executive Council of the National Board of Trade.

Recommendation for a Department of Commerce; with an account of the Board of Trade of great Britain, by Hamilton A. Hill, Secretary of the National Board of Trade.

Report of the Committee appointed by the Chamber of Commerce of the State of New York for the relief of the sufferers by the fire in Chicago, 1871, with roll of contributors.

A communication to show the dangers of a War of Commerce on all the great interests of our country, by Peter Cooper, New York, 1871.

From John E. Rowe—Hand Book and Guide for the city of Newark, New Jersey, 1872.

From New England Historic and Genealogical Society—Register and Antiquarian Journal, Vol. XXVI. Nos. 3, 4. Vol. XXVII. No. 1.

From the Essex Institute—Historical Collections, Vol. XI. Parts II, III, IV.

From G. P. Burwell—Proceedings of the Burwell Family Pic-nic, held at Burwell's Farm, Milford, Conn., Aug. 18, 1870.

From Boston Public Library—Bulletin No. 22 for July, 1872.

From Dr. Samuel A. Green—Prize Essay on Ardent Spirits and its substitutes as a means of invigorating health, by Reuben D. Mussey, M. D., Washington, 1837.

Third Annual Report State Board of Health of Mass., Jan., 1872.

Fifth Annual Report of Public Library of Cincinnati, 1872.

Addresses at the Inauguration of Rev. James Walker, D. D., as President of Harvard College, May 24, 1853.

Addresses at the Inauguration of Jared Sparks, L. L. D., as President of Harvard College, June 20, 1849.

Rev. Dr. Bethune's Oration before the Phi Beta Kappa Society, Harvard University, 19th July, 1849.

Daniel Webster as a jurist. Address to the students in the Law School of the University of Cambridge by Joel Parker, L. L. D., Royal Professor, Cambridge, 1853.

The Necrology of Harvard University, 1869-'72.

Cattle transportation in the United States. An Essay by George P. Angell, President of Mass. Soc. for Prevention of Cruelty to Animals. Boston, 1872.

Reply to the "Statements of the Trustees" of the Dudley Observatory by Benjamin Apthorp Gould, Jr. Albany, 1859.

Discourse occasioned by the recent duel in Washington. Delivered by Henry Ware, Jr., March 4, 1838, in the Chapel of Harvard University. Cambridge, 1838.

Address and Discourse after the death of Rev. W. E. Channing, D. D., by Ezra S. Gannett. Boston, 1842.

Report on the Geology of Mass. Part I.

Paul Lunt's Diary from May to Dec., 1775, for private distribution. Published in Boston, 1872.

A journal of Travels from Newburyport to Cambridge and in the Camp. Edited by Samuel A. Green, M. D.

Economical Geology. Amherst, 1832.

A case of extensive disease of the Cervical Vertebrae, and Report of an operation for Neuralgia, by Buckminster Brown, M. D. Boston, 1853.

First and Second Report of Geology of Public Lands, Maine and Mass. Boston, 1837.

Reports of the Commissioners on the Zoological Survey of the State of Massachusetts. Boston, 1838.

Address before the Young Men's Christian Association by Charles Theo. Russell. Boston, 1852.

The Financial Revulsions of 1857.

Mr. Walley's Address before the American Statistical Association, Feb. 10, 1858.

The new doctrine of Clerical Privilege. An Address delivered in Tremont Hall, on the 26th Jan., 1852., by J. H. Fairchild, Pastor of Payson Church, South Boston. Boston, 1852.

Wealth and Beauty—A Poem read before the Phi Beta Kappa Society in Cambridge, July 19, 1855, by Henry Hurlburt. Cambridge, 1855.

From Wm. Nelson, Clerk of Chosen Freeholders of Passaic—Manual of the Board of Chosen Freeholders of the County of Passaic, compiled by William Nelson. 1872.

Proceedings of the Board of Chosen Freeholders, Passaic Co., for year ending 1871-'72, and an Annual Report of the County

Collector, 1871-'72, and a number of newspaper articles relating to the local history of Passaic County.

From the American Antiquarian Society—Proceedings of the Society at the Semi-annual Meeting held in Boston, April 23d, 1872. No. 58.

From State Historical Society of Wisconsin—Report and Collections of the Society for the years 1869, '70, '71, '72. Vol. VI.

From the State of New York—54th Annual Report of the Trustees of the State Library.

Catalogue of the New York State Library, 1872. Containing Subject Index of the General Library.

From Adolphus P. Young—The Burning of Chambersburg, Penn., by Rev. B. S. Schenck, D. D., an eye witness and a sufferer. 4th edition, revised and enlarged, with a plan of the burnt portions of the town. Phil. 1865.

From James G. Swords—Relics from the Chicago fire.

From V. A. Loubat—The American Vinedresser's Guide, by Alphonse Loubat. A new and revised edition in French and English.

From the State of New Jersey—The Journal and Votes of the House of Representatives of the Province of Nova Cesarea or New Jersey, in their First Sessions of Assembly begun at Perth Amboy 10th Nov., 1703.

The Journal of the Procedure of the Governor and Council of the Province of East New Jersey, from and after the 1st day of Dec., 1682. Published by authority of the Legislature. Jersey City, 1872.

Minutes of the Council of Safety of the State of New Jersey, 1777.

From Rev. C. D. Bradlee—"Christ all in all." A sermon preached at the Church of the Good Samaritan, Sunday, Sept. 1, 1872, by C. D. Bradlee, late Pastor of the "Church of the Redeemer."

From J. Sabin & Son, Publishers—American Biblioplist, a Literary Register and Monthly Catalogue of old and new books, and

Repository of Notes and Queries. Vol. IV. Nos. 41-47 inclusive.

From the Historical and Philosophical Society of Ohio—Geological Survey of Ohio. Report of Progress in 1869-'70. In three parts. By J. S. Newberry, Chief Geologist, and E. B. Andrews and Edward Orbon, Assistant Geologists. 2 Vols. 8 vo.

Maps (five) of Grouped Sections, Second Geological District. 1870.

The Bible in the Public Schools. Arguments in the case of John D. Minor and others *vs.* the Board of Education of the city of Cincinnati and others, in the Superior Court of Cincinnati, with the opinions and decision of the Court.

Transactions of the Historical and Philosophical Society of Ohio. Part II. Vol. X. 1839.

Journal of the Historical and Philosophical Society of Ohio. Columbus, 1838. Reprinted Cincinnati, 1872.

A Discourse delivered before the New England Society in the city of New York, Dec. 21, 1847, by J. Prescott Hall.

Progress in the Northwest. Annual Discourse before the Historical Society of Ohio, by the President, Wm. D. Gallagher, delivered April 8, 1850, on the occasion of the commemoration of the 62d Anniversary of the first settlement of the State.

A lecture on the University of Cincinnati, its aims, needs and resources, delivered before the Young Men's Mercantile Library Association, May 9, 1872, by Alphonse Taft.

An Oration delivered before the Cincinnati Astronomical Society on the occasion of laying the Corner Stone of an Astronomical Observatory on the 10th Nov., 1843, by John Quincy Adams.

The Annual Address delivered before the Cincinnati Astronomical Society, June, 1845, by E. D. Mansfield, Esq., together with the Reports of the Board of Control, and of the Director of the Observatory.

Inaugural Report of the Director of the Cincinnati Observatory, June 30th., 1868, with Annual Report of the Director, May, 1869.

Annual Report of the Director of the Cincinnati Observatory, June, 1870.

An Address on the Life and Public Services of Hon. Edwin M. Stanton, by Wm. Johnson, Jan. 7, 1870.

Rev. Mr. Boynton's Pilgrim Oration, Dec. 22, 1847, before New England Society of Cincinnati.

From Charles C. L. Gifford—Twenty-seven Sermons preached by Rev. Isaac Browne, at Brook Haven, Conn., and at Newark and Second River from 1736 to 1776, and

From Mrs. Charlotte Rutherford—One manuscript sermon of the same Divine endorsed as having been preached seventeen times between 1735 and 1769.

From the American Philosophical Society—Proceedings of the Society at Philadelphia. Vol. XII. No. 88, January and June, 1872.

From Rev. Wm. Stevens Perry, D. D.—Journal of the Proceedings of the Bishops, Clergy and Laity of the Protestant Episcopal Church in United States of America, assembled in General Convention, City of Baltimore, from Oct. 4 to Oct. 26 inclusive, 1871, with an Appendix.

From John B. Lee—A fair copie of ye Ingen arrived from London, and now in ye City Hall 7 feet wide on ye board and 9 feet on worke poole 73 feet long in ye whole, manned by 12 tug men, 11 bucket men and 1 pipe man.

From Gen. J. Watts DePeyster—La Royale. Parts 1, 2, 3, 4, 5, 6. The Grand Hunt of the Army of the Potomac. Part 8.

The last twenty-four hours of the Army of Northern Virginia, Major Gen. Andrew Atkinson Humphreys and the combined Second and Third Corps at Appomattox Court House, April 8th-9th, 1865. By Anchor. One hundred copies only printed as Manuscript for private circulation.

Eulogy of Lannart Torstenson, Grand Master of the Swedish Artillery, by J. Watts DePeyster, 4to.

From U. S. Quartermaster General—A Sketch of the organization of the Quartermaster's Department from 1774 to 1868. Washington, 1869.

Roll of Honor. Catalogue of Soldiers who died in defense of the Union, interred in the National Cemeteries. No. XXVII.

From the Iowa Historical Society—The Annals of Iowa, July, 1872. No. 3. Oct., 1872. No 4. Vol. X.

From Col. D. L. Gardiner, of Northfield, Staten Island—Chronicles of the Town of East Hampton, county of Suffolk, New York. Received through Mr. Frederic Thompson. The work was written by Col. Gardiner's father, Hon. David Gardiner many years ago, and now published in book form for the first time.

From the Librarian of Yale College—Catalogue of the Officers and Students of Yale College for 1872-'73, with a statement of the course of Instruction in the various departments.

From the Author—The Presbyterian Church in Basking Ridge, N. J. A Historical Discourse delivered by the Pastor, Rev. John Rankin, D. D., Aug. 11, 1872.

From the State Treasurer—Documents of the 86th Legislature of the State of New Jersey, 1 Vol. Laws of New Jersey. Acts of the 96th Legislature of the State of New Jersey, 1 Vol.

New Jersey Equity Reports. Vol. XXII, 7th, C. E. Green.

Statutes at Large of United States passed at 22d Session of 42d Congress for 1871-'72, and Treaties and Postal Conventions by Geo. P. Sanger.

From Rev. W. D. Doty—Kenyon College. Tenth Anniversary of the Class of 1862.

From Mr. Wardell P. Garrison—Constitution and By-Laws of the New England Society of Orange, N. J., Dec., '72.

From Hon. Daniel Haines—A copy of Elizabethtown Bill in Chancery.

There have been added to the Library since the meeting in May, 1872, 100 Bound Volumes and 88 Pamphlets. During the year or since the last Annual meeting 165 volumes, and 126 Pamphlets. This computation includes serials.

Resident Members Elected.

JANUARY, 16, 1872.

Garret S. Boice, *Jersey City*.
Aaron Carter, Jr., *Newark*.
Jeremiah A. Cross, M. D., *Newark*.
James V. Davenport, *Jersey City*.
I. N. Dilts, *Somerville*.
R. V. W. Fairchild, M. D., *Parsippany*.
William Frame, *Bloomfield*.
Frederick H. Harris, *Montclair*.
Edgar Holden, M. D., *Newark*.
George L. Hutchings, *Newark*.
Rev. Samuel Hutchings, *Newark*.
Frederick Jacobsen, *Hackensack*.
William C. J. Keen, *Newark*.
Jonathan Keen, *Newark*.
Richard Kingsland, *Franklin*.
A. L. Melick, Jr., *Elizabeth*.
William Muirheid, *Jersey City*.
William E. Pine, *Newark*.
David Price, *Newark*.
J. Woods Poinier, Jr., *Newark*.
Wm. A. Ripley, *Newark*.
George B. Swain, *Newark*.
A. B. Twitchell, *Newark*.
James Yereance, *Newark*.

NEW JERSEY,
PENNSYLVANIA AND OHIO,

IN 1787-8.

PASSAGES FROM THE JOURNALS

OF

REV. MANASSEH CUTLER, L.L. D.

COMMUNICATED BY THE

REV. JOSEPH F. TUTTLE, D.D.,

And Read Before the Society, May 16, 1872.

NEW JERSEY, PENNSYLVANIA AND OHIO IN 1787-8.

[The Rev Manassah Cutler, LL. D., was born at Killingly, Conn., May 28th 1742. He was graduated at Yale College in 1765. He then studied law and was admitted to the bar. He removed to Edgarton, Martha's Vineyard, and began the practice of his profession. Not long afterward he determined to study theology, and was ordained September 11th, 1771, and installed pastor of the Congregational Church in Hamilton—then Ipswich Hamlet—Mass. He served as Chaplain in the American Army during two campaigns, in the war of the Revolution. In 1786, Dr. Cutler had become associated with a company, (subsequently known as the Ohio Company), whose leading spirits were Revolutionary officers, for the purchase of land north of the Ohio. In June, 1787 he went to New York as the agent of the Company to negotiate with the American Congress for the purchase of a large tract, somewhere in the new country west of Pennsylvania and Virginia. With consummate tact, he accomplished his mission, and made a contract for the purchase of over a million and a half acres, at two-thirds of a dollar per acre. He kept a journal of his journey and his proceedings at New York, from which it appears that his plan could only be carried out by allowing some private parties to make an immense purchase of Western lands, under the cover of the contract of the Ohio Company. The bargain included five millions of acres; one and a half millions of which were for the Ohio Company, and the remainder for the parties operating through him.

In his journal under date of Friday, July 27th, 1787, Dr. Cutler gives this account of the closing of his mission to New York: "At half-past three I was informed that an Ordinance passed Congress on the terms stated in our letter, without the least variation, and that the Board of Treasury was directed to take *Order* and close the contract. This was agreeable but unexpected intelligence. Sargent and I went directly to the Board who had received the Ordinance, but were then rising. They urged me to tarry the next day and they would put by all other business to complete the contract, but I found it inconvenient and, after making a general verbal adjustment, left it with Sargent to finish what was to be done at present. Dr. Lee—a brother of the famous Virginia orator—congratulated me and declared he would do all in his power to adjust the terms of the contract, so far as was left to them, as much in our favor as possible. I proposed three months for collecting the first half million of dollars and for executing the instruments of the contract, which was acceded to. By this Ordinance we obtained the grant of over five millions of acres of land amounting to three and a half million of dollars; one million and a half for the Ohio Company and the remainder for private speculation in which many of the principal characters in America are concerned. Without connecting this speculation, similar terms and advantages could not have been obtained for the Ohio Company. On my return through Broadway, I received the congratulations of my friends in Congress, and others with whom I happened to meet."

It is an interesting fact that Dr. Cutler in all these negotiations was in constant communication with Col. William Duer, of the Treasury Board, and closely related to some of our New Jersey and New York families. He married Kitty, the second daughter of Lord Stirling. Dr. Cutler speaks of Col. Duer in terms of warm admiration.

I cannot bring myself to drop this part of Dr. Cutler's history without referring to two *facts*, as I fully believe them to be such. The Ordinance to be submitted to Congress was placed in Dr. Cutler's hands for his examination, and his two grand suggestions were adopted. The first was the exclusion of Slavery forever from the Northwest Territory, and the second was the devotion of two entire townships of land for the endowment of a University, and section sixteen in every township of land and fractional township in that vast purchase for the purpose of Schools. Those two ideas adopted by all the new States made the Great West what it is.

At a certain stage of his negotiations with Congress in 1789, he made a trip to Philadelphia. Those parts of his Journal which pertain to New Jersey are given in this paper. They show what New Jersey then was, as viewed by an intelligent stranger.

The following winter the first colony under Gen. Rufus Putnam made its way across the mountains, and on the 7th of April, 1788, landed on the East side of the Muskingum, where it enters the Ohio. In July, 1788, Dr. Cutler made a journey in his sulky and on horseback to the Muskingum, keeping a journal for the entertainment of his daughter. In this journey he crossed New Jersey twice, and both the records concerning that State and the narrative of his journey are of great interest. The editor of this paper is sure of pardon from his co-laborers in the Historical Society of New Jersey for furnishing these copious extracts from his two unpublished manuscript journals.

Dr. Cutler receiving the honorary degree of L.L. D. from Yale College in 1789. He was regarded as one of the most learned botanists of his day in this country, and was a remarkable man in other respects. In 1787, in a published pamphlet, Dr. C. predicted that many then living would see the Western rivers navigated with steam, and that within fifty years the North-western Territory would contain more inhabitants than all New England! Dr. Sprague has a very interesting article on Dr. Cutler in his *Annals of American Pulpit*, [Vol. II, pp. 15—19.] Dr. C. died, July 23d, 1823, aged 81, in the 52d of his ministry. His oldest son, Judge Ephraim Cutler, of Warren, Washington County, Ohio, who died, July 8th, 1853, was a remarkable man and was honored in the Ohio Constitutional Convention as the successful leader of the opposition to an attempt to introduce Slavery into that State, an attempt which at one time seemed sure of triumph. Thus the name of *Cutler* is an honored one in the history of the Great West and North-west, and is still most worthily borne by William P. Cutler, the son of Ephraim, who still resides on the goodly acres which constituted his patrimony.]

The Rev. Manassah Cutler, L.L. D., in 1787 negotiated with the Continental Congress for the purchase of a large tract of land in the vicinity of the Muskingum river in Ohio. He acted as the agent of the Ohio Company, and displayed no small talent in his business.

In mid-winter, 1787-8, the first colony made its way over the Alleghanies to the Yohiogany river, where they built boats to convey themselves and provisions to the mouth of the Muskingum. They landed at Marietta on the 7th of April, 1788.

In July of the same year, Dr. Cutler made a journey to the new settlement and the journal he kept has been recently loaned me by his grand-daughter, Mrs. S. C. Dawes of Marietta, Ohio. He started from Ipswich, Mass., passing through Boston (where he "received a prodigious number of letters for Muskingum"), Hartford, Litchfield, whose wealth and elegance he describes, and Fishkill, where he crossed the Hudson.

His first night in New Jersey was at "Walling's Tavern, kept by one Sears, a surly old fellow, very extravagant (in his charges) and an empty house." "July 30, set out just after the sun rose—went on to Sussex Court House. road good, fourteen miles. Breakfasted at a tavern just above the Court House, kept by Jonathan Willis. This is a pretty village on the Eastern side and near the summit of a high hill, land good, houses indifferent. Went to the Court House; was pleased with the form of it inside; the building is of stone.

"From this the road is tolerably good to Log Jail, ten miles; very few houses and these mostly humble huts. At Log Jail or Log Town, is a miserable tavern kept by Jones, a Jew. We could get nothing but oats and water, neither hay nor grass. Another tavern here but no better.

"Six miles from Log Town is *Hope*, commonly called Moravian Town. This is a small, new, but very pretty village. Houses mostly stone, built in Dutch style. The Church or Chapel is a very handsome building on the top of the hill. We put up at Gamboult's. While dinner was preparing we went to the Church. * * * One end is improved as a dwelling-house for the minister to whom we were introduced; the other for the governess for the instruction of the Misses. The upper story is a large Hall with apartments at each end; here divine service is performed; a very pretty set of organs; the minister played us several tunes; they have French horns and violins; the desk is low and nothing more than a seat a little raised with a table before it. He showed us some paintings in

his own apartments; we took our leave of him; he was very polite and gave us his blessing. The granary is the next largest building; it has a family in it and mills for grinding and bolting, &c.; It is built of stone, three stories high. The road from Log Jail not very good; Gamboult keeps a very good house and very obliging. From this we came on twelve miles to White's, in Oxford Toownship; road not bad, but some parts of it rocky; put up for the night; White is very obliging; good tavern for this country; beds pretty good. Fair, cool.

"Thursday, July 31. Set out this morning just after sun-rise, twelve miles to East Town; road not good. Crossed the Delaware in a good ferry-boat; not wide. The Lehigh river enters the Delaware just below where we landed on the Pennsylvania side, called "The Forks." As soon as we were over the river we entered East Town, which is a very pretty village; houses all stone in the Dutch style; a handsome Court House and Dutch Churches; there are two ministers; every third Sunday preaching in English. We breakfasted at Hembt's tavern beyond the Court House. Could get no hay nor grass, but were furnished with a good breakfast, bacon and eggs, beef and sausages in slices raw, green tea, &c."

Dr. Cutler describes Bethlehem, "Allen's Town" and Reading, but I can only select here and there an extract; desiring to quote all he says of New Jersey, as he crossed it going West and on his return through Philadelphia.

He gives a description of "Harrisbourgh." "This is a beautiful town; it contains about one hundred houses, all built in less than three years; many of them brick, some of them three story, built in the Philadelphia style; all appear very neat. A great number of taverns with handsome signs. Houses all two story, large windows. About one-half the people are English; people were going to meeting; they meet in private houses; have no Churches yet. People appear very well dressed, some gay. About a mile from the last stage I ferried over a branch of the Susquehanna called Sweet Avon' Creek."

Dr. Cutler mentions a remarkable spring he visited near Allentown. He says: "we crossed a river called Cedar Creek, which rises from

a remarkable spring described by Gen. Lincoln. It is not far from Aler's tavern; Aler describes it much as the General has done. A large mill stands within two hundred feet of the head of the spring which is very deep; large holes are seen at the bottom of it, from which the water runs out, some of them as large as a man's body. There is no hill of any consideration near. Aler's is a very good house for a Dutchman. Not dear."

The Pennsylvania of that day as compared with the Pennsylvania of to-day, may be inferred from Dr. Cutler's description of his means of crossing such streams as the Delaware, the Lehigh, the Schuylkill, the Juniata, the Susquehanna and the Monongahela. He did not find a bridge over any large river from Easton to Wheeling, and describes the "rope ferry" with which he crossed the Schuylkill as a specimen of some of the ferries. He ferried the Susquehanna also, which he says is often so shallow as to be forded. From Harrisburgh he "went to Polluck's Tavern—a fat Irishman—gave us a grand dinner—horses fared bad—intolerably dear." He speaks admiringly of Carlisle, especially of the Barracks and Court House "which far exceed anything in this part of the country." Here he found a "Mr. Mould on his way to Fort Pitt with his family, and one other, a coach and three waggons." He describes Shippensburg "a new but large town in one street, about one hundred and fifty houses, some tolerably good ones." From this point he crossed the mountains, following what is now the old road, passing over three great mountains now named "The Three Brothers." He left Chambersburgh far to the south. The road was rough, and the Doctor broke his sulky, "the day was very wet, night came on when we were five miles from the tavern—had a shocking time—arrived at Keefer's tavern at ten. This is a Dutch house, the landlord obliging but dirty—bad house in itself—turned into a hot log chamber full of people, bed swarming with bugs and fleas, kept awake almost all night by a crazy woman—slept a little in the morning, &c."

Before the Doctor had crossed these mountains he concluded to abandon his sulky and take to the saddle for the rest of the journey, the road being rough and steep, and not as well adapted to wheels as to riding on horseback.

He crossed the Juniata at "Martin's." "At one Clark's we breakfasted and dined in same meal, a tolerable tavern for provisions for man and horse, but wretchedly dirty. There we met a Packer with ten pack-horses, loaded principally with ginseng in barrels, two barrels on a pack-horse, from Fort Pitt. Met a great number of these packers, but the wagons struck us with astonishment."

These wagons were the great Conestoga wagons with six or eight horses attached, on which in those days and for fifty years afterwards so large a part of the merchandise was conveyed from the eastern cities to the Ohio. "The great number of packers," and particularly "the packer with ten pack-horses" each with two barrels slung across his back, constitutes one of the very finest points of contrast between western freighting in 1788 and 1872,—the pack-horse and the freight train on the Pennsylvania Railway! Dr. Cutler expected great changes, but if he were here now he would be more struck with astonishment than when he saw the Conestoga wagons.

Our journalist in describing Bedford, the shire-town of Bedford County, states a fact which interests Jerseymen and Buckeyes also. He says "Judge Symmes—John Cleves—had taken lodging at the best tavern (in Bedford), we however, made shift to get lodgings in the same house—Mr. Wert's, a Dutchman. Judge Symmes was complaisant. I had a letter to him from his brother at Sussex Court House, (N. J.) He had his daughter with him, a very pretty young lady, one or two women with husbands, six heavy wagons, one stage wagon, and a chair—a two-wheeled covered conveyance for two persons—thirty-one horses, three carpenters, and one mason—has been out three weeks."

August 7. I rose early this morning—foggy, so that we could see but little of the town—set out just after sunrise. Judge Symmes' wagons were nearly ready to start when we left the house, &c."

Well might these two remarkable men treat each other "with complaisance," as they met in Bedford on their way to a country whose destiny was to be so greatly affected by their plans and energy.*

*John Cleves Symmes, usually called Judge Symmes—was a native of Long Island, the son of a clergyman. He removed to Sussex County, New Jersey, some years before the Revolution. He was an active patriot, was commis-

From Bedford Dr. Cutler took the route that leads to the Ohio through Washington. He "baited his horse at a dirty Dutch cabin" among the hills, but at last reached Sumrell's Ferry, where the first party for Marietta had spent the previous winter building boats for descending the river. In this vicinity his son Jervis Cutler was teaching school, having accompanied the colony to Marietta and then returned to this place to teach.

Dr. Cutler's record of August 10th, Sunday, is worth quoting. The Western part of Pennsylvania was settled by Scotch-Irish Presbyterians and among them the Doctor spent this Sunday. He says: "Felt my fatigue most sensibly. but could not get excused from going six miles to meeting; excessive bad road. Mr. Finley is the minister; has two congregations, eight miles distant; meeting house

sioned a Colonel, served honorably, was a member of the Provincial Congress of New Jersey, a member of the Council, a Lieutenant Governor, a member of the Continental Congress, and for twelve years a Judge of the Supreme Court. Chief Justice Symmes presided at the trial of Morgan, the Irishman who shot the Rev. Mr. Caldwell of Elizabethtown, on the 24th of November, 1781, and upon his conviction, sentenced him to be hung.

On the 29th of August, 1787, Judge Symmes applied to Congress for a large tract of land by purchase, no doubt encouraged by Cutler's successful negotiation. It is asserted by the author of "Annals of the West," p. 299, that Symmes, previous to his offer, had visited that magnificent region known to this day as the "Miami Country" having been induced to do so by the representations of Benjamin Stites of Brownsville, Pa., who himself had explored that very region in 1786. On the 2d of October, 1787 Symmes' application was referred to the Treasury Board with power to conclude a contract with him. In November he issued proposals to settle for the sale of lands on favorable terms. He supposed he had contracted for more than a million of acres, but on actual survey the tract was found to contain about six hundred thousand. The tract is between the two Miamis, and is one of the most valuable in Ohio. In it is Cincinnati. The contract was closed October 15th, 1788, but the patent was issued for a little less than 250,000 acres the amount paid for.

February 19th, 1788, Judge Symmes was appointed by Congress one of the Judges of the North Western Territory. Gen. Rufus Putnam being another. In January, 1788, Symmes sold to Matthias Denman, of Springfield, New Jersey, the land on which Cincinnati was afterwards laid out. In July of that year, Denman and other persons interested in the Miami purchase, started west and arrived at Maysville, Kentucky, in August.

It is evident that Judge Burnet in his "Notes," has made an error in the date, in saying that the first party under Major Stites reached Cincinnati in November, 1788, that Denman's party did not reach there until December, and

in the woods; no house near; large congregation; three hundred or four hundred horses (tied in the adjoining woods), made a curious appearance; congregation appeared well. I preached in the afternoon; we had half an hour intermission."

On Monday he met his son, but advised him to continue his school. He passed through Washington and thence to Cox's Fort, where one Col. Prather resided. At this place "we had our first sight of this beautiful river, the Ohio." It was about eighteen miles above Wheeling.

Here the Doctor and his companions put out their horses to be kept until their return from Marietta. They here met Gen. Tupper, one of the Marietta Colonists. They were to finish the journey by boat, and under date of Friday, August 15, we have this record, which seems to indicate that all the inventive genius is not restricted:

that the third party of adventurers under Judge Symmes did not reach the place until early in February, 1789.

The fact is that on the 6th of August, 1788, Dr. Cutler met Judge Symmes and his party at Bedford, Pa., on their way to the Miamis. He had started in July, only a few days after Mr. Denman. When he reached Maysville I am not able to say, but suppose it was in the fore part of September, since it is now known that on the 22d of September, 1788, Denman, Col. Israel Ludlow and Judge Symmes were all at the place where Cincinnati is now built. For some of these facts I am indebted to two small pamphlets from the pen of that indefatigable and intelligent antiquarian, Robert Clarke, one of the great publishers of Ohio; the first is "Captain John Cleves Symmes," and the second, "Information Wanted with Reference to the Early Settlers of Losantiville, (now Cincinnati.)"

The pretty daughter of Judge Symmes whom Dr. Cutler saw at Bedford, was probably Anna, subsequently the wife of Gen. Wm. Henry Harrison, afterward President of the United States

It is a matter of interest also that Symmes made arrangements for the endowment of a University with lands provided by the Government, although the donation was not made until some years afterwards, and for section sixteen in every township for school purposes.

It is evident that "the best tavern in Bedford" had for its guests on the 6th of August, 1788, two remarkable men, ever to be associated with the growth and prosperity of the States which they began to plant when they sent permanent settlers to the banks of the Muskingum, the Miami and the Ohio.

The meeting of these two men is an incident so interesting that I am unwilling to omit it.

to our own time. Dr. Cutler writes: "This morning we went pretty early to the boat. Gen. Tupper had mentioned to me a mode of constructing a machine to work in the head or stern of a boat, instead of oars. It appeared to me highly probable it might succeed. I therefore proposed that we should make the experiment. Assisted by a number of the people we went to work and constructed a machine in form of a *screw*, with short blades, and placed it in the stern of a boat which we turned with a crank. It succeeded to admiration, and I think it a very useful discovery."

On the 17th of August the party started for Marietta. The Doctor speaks of the Ohio as "a most delightful stream—very romantic. At seven miles below Buffalo, passed a Post on the Federal side, commanded by Capt. McMahon, Virginia militia, a number of huts, men, women and children. At Wheeling he lodged with Esq. *Zain*; been fortified; a pretty settlement. Opposite to his house is a very rich and fine island of three hundred acres." The next day *Zain* showed him some rice he had cultivated, "about a rod square, in six drills; horses, a few nights before got in and cropped it; assured me it would have yielded two bushels; has raised ten bushels from four rods square; it is grown on high bank, somewhat sandy, second bottom." "He has raised good indigo; says we may cultivate much as we please. He raises excellent tobacco; has a fine bottom, well cleaned. Very generous; requested me to call again; fine orchard; large number of peaches; offered to give me two or three hundred." On the 19th, he "saw Round Bottom, the land owned by Gen. Washington; very extensive and good."

The Zane family had been settled at Wheeling, eighteen years when Dr. Cutler visited the place; the three brothers, Ebenezer, Silas and Jonathan having come there in 1770. They had a sister, *Elizabeth*, who on the occasion of the siege of Fort Henry, near Wheeling, by Simon Girty, performed a very daring act. She went from the Fort to the house of Ebenezer Zane, some sixty yards distant, to get a keg of powder that was there concealed and forgotten, when they fled to the Fort on the approach of Girty's savages. The whole family seem to have been bold, sturdy people. I suppose the "Esq *Zain*" of Dr. Cutler's journal, was Ebenezer, the oldest of

the brothers, and a prominent man in his day. In 1796 Congress authorized him to "blaze and open a bridle path or road" from Wheeling to Maysville, Ky., which commission he fulfilled. He received as a compensation for his services, the privilege of "locating military warrants upon three sections of land, not to exceed one mile square each," the first being where the new road crossed the Muskingum, at *Zanesville*; the second, where it crossed the Hockhock, where *Lancaster* now is; and the third where it crossed the Scioto, opposite the present city of *Chillicothe*. His brother Jonathan, and his son in law, John McIntire, were associated with him in tracing the road, and he gave them as their share of the Congressional grant, the mile square at the Muskingum.

These Zanes were intimately acquainted with the Western country, and when previous to the purchase, one of the most active promoters of the Ohio Company's plan, was at the West, on an exploring tour, he met one of the Zanes, who strongly advised him not to select the Muskingum Country, but to go farther down the Ohio and locate either on the Scioto, or the Miami. The advice was regarded with suspicion by the tourist, as given by one who was himself interested in the Muskingum Country; but had that advice been taken the Ohio Company's history would have been greatly modified by their securing the finest body of land in place of the poorest. The minerals of the Ohio Company's purchase now modify this estimate greatly.

It is interesting thus to find Dr. Cutler meeting another remarkable man, who was to exert so great an influence on the settlement of the country, North of the Ohio, and who was at that time, a leading pioneer West of the Alleghanies.

On the 29th of August, "we landed at the Point—Marietta—and were very politely received by the Hon. Judges, Gen. Putnam and our friends. Gen. Putnam invited me to his lodgings which is a *markee*. Drank tea with Gen. Parsons; seven hundred and fifty-one miles from Ipswich."

On the 20th, he had an entertainment given him by the officers of Fort Harman and the leading men of the Colony. On the 21st, he "took a long walk over the city lots, and through the corn field, which astonished me on account of its magnitude. Should be as soon

lost in it as in a Cedar swamp in a cloudy day. Went on the high mound; a White Oak on the top which Gen. Putnam judged to be one hundred feet high. * * * * * Felt myself much injured yesterday and to-day by representations made by the Rhode Island (?) faction, respecting the Scioto Company purchase."

I am not able to explain certainly the reference in this passage. The Scioto Company was made up of Col. William Duer and other gentlemen, who secured the purchase of them, and a half million of land so situated in regard to the Scioto as to take its name from that river. The purchase was made under Dr. Cutler's contract at two-thirds of a dollar per acre. The intention of these speculations was to purchase the land warrants and other securities of the Continental Congress which were held at a very low figure, and at that time could scarcely be sold for any price, and with these pay for lands which they fully expected would soon be in market for actual settlers at a remunerative advance. The plan was shrewd and might have "led on to fortune," had not the Holland Dutch perceived that the American government was good for its debts, and began to buy up its securities, This gave value to the very obligations which the Scioto Company expected to get for little a nothing and pay for its magnificent lands in Ohio. It is averred that this is the reason the contract was not fulfilled by the Scioto Company, and it is not unlikely that the disappointment led to some harsh remarks in regard to men who were prominent in the original transaction. Among these was Dr. Cutler, who was interested no further than has been stated, that he consented to let the Scioto Company's purchase be made under cover of that of the Ohio Company whose agent he was. This probably explains the statement of Dr. Cutler already quoted.

On the 22d of August he crossed the Ohio to visit "Mr. Williams, who is a principal man; has a fine farm of four hundred acres; the other people are his tenants; came here 25th of March, 1787; there are about thirteen families." He dined with a number of Indians that day.

On Sunday, August 24h, he preached at the Hall in Campus, Martius; very full. At sundown he went to see the great tree, thirteen feet in diameter; hollow, "if cut off two feet above the

ground sixty-four men could stand inside the stump; measured the circumference as near the ground as possible so as to take in all the bilges, and made it forty-six and one-half feet."

August 25th, Dr. Cutler records the first death in Marietta, "a child of Major Cushing's; its name Nabby, thirteen months old." On the 26th, he saw "two large Kentucky boats with a number of families bound to Judge Symmes' settlement." The next, 27th, Dr. Cutler writes, "Judge Symmes and his Company arrived last night. He, with his daughter, made us a visit to-day; a very well accomplished young lady." That day occurred the first funeral in the Marietta graveyard, that of Nabby, Major Cushing's child.

On the 28th, he was "visited by Madame Zane, a squaw, descended from a Royal family, daughter of the Half-King of the Wyandots, the wife of Isaac Zane, a white captive adopted by Indians; her family was with her, and her brother, a son of the Half-King, old Gnyersutur, a Seneca Chief and several others. Mrs. Zane and her family were very nicely dressed. It was said she had on three hundred broaches, and that her whole dress cost five hundred dollars; her family in the same, very neat. We have had Indians to dine with us about every day since I have been on the Point, principally Delawares, Wyandots, one or two Shawanese, Mingo, Seneca, or Six Nation. No other natives came in; the Cippawa and Ottawa appear to be rather inclined for war, but have come into the Council at Sandusky and acceded to a general peace."

Sunday, August 31st, Dr. C. preached—the Governor present. Tuesday, Sept. 2d, Court of Common Pleas opened with very considerable parade, a procession, prayer; "the Governor and Supreme Judges present."

On the 9th, Dr. Cutler took passage in a row boat with Monsieur Vigo, for Wheeling. On the way up the Company had an "Indian scare," that proved to be only some white hunters. The Doctor gives several pages of the details. Reached Wheeling Sunday, September 14th; "dined on veal roasted in a pan by the Sargeant's wife; very good. On the 15th, landed at "Coxe's Fort," and "went to Squire Willis'; found my horse in good plight; paid the Squire one dollar for keeping and nine shillings, Pennsylvania money, for three bushels of oats." He did not always find accommodations to

his liking; at one place "a dirty Dutch tavern," at another, Bridges, "a good looking, but ill-natured landlady," and at another, "the woman sick; baited myself and horse; bill paid by prescriptions." At another place he found "families going Westward." His bill for breakfast and horse feed ranged from one shilling to two. When it was more, the good man showed displeasure at "the dearness of the fare." Seven miles from Bedford he spent the night at "a most wretched and dear Dutch tavern; bill four shillings, four pence, Proclamation money." He avoided Harrisburg and passed through Lancaster which is "a large and antient town; the best built inland town in America." "It has one hundred and eighty taverns and licensed houses of all descriptions."

Dr. C. reached Philadelphia, September 28th. The contrast of 1788 with 1872 is pleasantly suggested by what our tourist says. "Went on to Philadelphia; crossed the Schuylkill at the Middle Bridge; toll ninepence; the bridge floats; is very good; the street from the bridge leads directly to Market street. Put up at the Indian Queen in Fourth street, a little South of the head of Market."

All of interest there is in the notes of the Doctor's journey to New York is found in the names of taverns and such items. Monday night, September 29th, he stayed at Paul's, at Frankfort; bill three shillings, twopence. Next morning breakfast, two shillings, two pence; toll bridge ninepence; ferry over the Delaware at Trenton, one shilling, sixpence; lodged at Smith's, in Maidenhead; bill five shillings, tenpence. "October 1st, passed through Kingstown and Princetown. Bill and ferry at Brunswick, seven shillings. Passed through Woodbridge; bill at Cross Keys, one shilling, ninepence. Went on to Elizabethtown and lodged; bill at Prentice's five shillings, sixpence. October 2d, breakfasted in Newark at Redding's, two shillings, ninepence; first ferry, one shilling, sixpence; the second ferry, two shillings; ferry from Powles' Hook to Jersey City, four shillings, fourpence. Put my horse at the Stage House in the street leading from Oswego market, to Powles' Hook Ferry. Delivered letter to the War Office. Called on Col. Platt; dined with him; Duer, Combs, Col. Wadsworth and Col. Talmage were in the Company." Friday, October 3d, very busy; called on many of my old friends. October 4th; conference with

Duer and Platt at the Board of the Treasury, which closed our business."

He arrived at Ipswich, the point of departure, on the 15th of October, having been absent twelve weeks and two days. According to his daily reckoning his outward journey was seven hundred and fifty-one miles, and returning by Philadelphia, he must have gone out of his way. His whole journey was about sixteen hundred miles. He was nineteen days at Marietta, so that he was on the road sixty-seven days, including Sundays; on which, with one or two exceptions he travelled. He usually started each morning by daybreak and travelled often until quite late, and yet all his industry only gave him an average of twenty-four miles a day. One can now leave Boston and reach Marietta in less than thirty hours. In less than three days one may now accomplish the round trip that in 1788, cost Dr. Cutler more *days* of travel than are now required of *hours*.

The year before his trip to Ohio, whilst his negotiations with Congress in 1787 were still pending, Dr. Cutler took the opportunity to visit Philadelphia. That part of his journal which pertains to his journey through New Jersey is quite full and interesting to Jersey men.

"WEDNESDAY, July 11th, (1787.)

"Set out early for Philadelphia. Paulus' Hook was very strongly fortified in the time of the late War by the Americans. It was a point of land surrounded with marsh, and of very small extent. The fortifications in some parts remain entire. Two miles from the Hook is Bergentown, a very compact village of considerable extent. It is inhabited entirely by the Dutch. There is a large Dutch Church built with stone, and a handsome steeple. The houses are mostly built with stone in the Dutch style which gives them a very odd appearance to a New England man. They are large on the ground, one and a half stories high, sharp pitched roof, no regularity in doors and windows, which appear like dead lights, are generally shut up very close with a window shutter on the outside, so that very little glass is to be seen as you pass through the street. Every house has a piazza in front, and some of them are extended round the whole house. The town is said to be remarkable for its wealth. The people are mostly farmers; the women work in the fields and generally drive the wagons which are drawn by two or three horses

abreast. It is well situated for supplying the markets in New York, which the Dutch people know how to improve to the best advantage. Their own food and clothing cost them but a trifle, and all the money they can get they lock up in their coffers; so that a Dutchman here is called a poor man and a bad husband, that has not more than five hundred guineas in his chest at a time.

"After leaving Bergen-town, I entered a very extensive marsh which goes far into the country. It is four miles across it and the road is a narrow causeway, sufficient only for one carriage to pass except at the ferry-ways. No carriage sets out from the shore or from either of the ferry-ways, if they see that one is coming toward them or has entered the causeway, for they cannot pass by each other. It is extraordinary, that on so great a road, so little attention is paid to the public ways as in this place. In crossing this extensive marsh, besides several bridges, there are two ferries. The first is over Hackensack river at Smith's Ferry, a half a mile across; fare, one shilling, sixpence; the next is at Second River, about half the width, fare, one shilling, threepence. These boats are very convenient for the stages as well as the smaller carriages drive in and out with the passengers in them.

"Made my first stage to Newark, nine miles from New York at Pitt's tavern, a tolerable house; breakfasted; bill, two shillings, sixpence; horseshoeing, three shillings. Newark is a small village situated on a plain; it has no considerable buildings; there is a small Church, a Presbyterian Meeting-House and a Dutch Church.

"Made a short stop at Elizabethtown, six miles from Newark, at Prince's tavern, to get my harness mended; bill, one shilling fourpence. This is a very pretty village, several handsome houses, one Meeting-House and another new building. A small river empties into the sea at this town and passes through it, over which is an elegant stone bridge.

"Dined at 'Cross-Keys,' Lott's tavern, in Woodbridge. This tavern is kept in elegant style. The hostler is at the door ready to take your horse, which he immediately takes from the carriage, rubs him down, then washes him with a swab and wipes him dry, which is done in a few minutes, and I am satisfied is of as much service to him as his provender, especially at this hot dusty season, for he has been treated the same way at every tavern since I left New York,

and it is evidently increasing his spirits. The land from Bergentown to this stage is level. The road is excellent, the soil good. The face of the country has the appearance of wealth, but I suspect the farmers are rather lazy. The houses from Elizabethtown are rather scattered (which is ten miles). They are well built and in good repair. I passed through Spanktown [now Rahway], but the Meeting-House and the thickest of the buildings were at some distance. It is a small village of no consideration. Bill, four 'shillings.

"My next stage was New Brunswick, ten miles. On my way passed through Bonhamtown. The houses are scattered; farms good and roads fine; orchards and every species of fruit trees abound in that part of New Jersey.

"New Brunswick is a large town, well built, and situated on the West bank of the Raritan river, over which is a ferry of about half a mile, and the passengers are landed at the foot of Main street. Many of the buildings are brick and stone, but the attention of the traveller is principally engaged by a very long brick building just above the town, two stories high and in a most delightful situation. It was built by the Americans for barracks and afterward improved as a hospital. But so elegant is this building that I conceived it must have been designed for an academy or a college, until I was otherwise informed. There seems to be considerable trade carried on in this town, though the shipping consists of very small craft, and even that was inconsiderable. The Raritan is a beautiful river, but the water is very shallow. The ferry-man told me that in dry seasons it had been forded where the boat passed. Ferriage, one shilling, sixpence. Made a short stage at the Lion, where my horse was treated as before. Bill, one shilling, onepenny.

"From this stage I travelled to Princetown, seventeen miles, where I arrived at ten in the evening. As the day had been hot I found myself sufficiently fatigued, though the road had been excellent and the country delightful. Lodged at the Sign of the College, Buckman's tavern, fifty-two miles from New York and three hundred and fifty from home.

"The land about New Brunswick is not very good, the soil is a reddish earth, but just under it is a stratum of crumbly stone. The road in several places was gullied several feet deep in this stone, but still level and hard. The crops of wheat, rye, barley, oats and flax,

which I observed in the course of this day's travel, were very fine. The general face of the country was rather flat, though now and then I ascended eminences which afforded an extensive prospect. The wheat was in many places reaped, in some shocked in the field, and the whole appeared to be ripe; but I saw very few people at labor in the fields."

"THURSDAY, July 12th.

"I rose very early this morning and took a view of Princetown. It is a small town, or rather has but a small number of houses in the most compact part. It is most delightfully situated on the summit of a very broad hill, which descends every way with a long, easy slope, and commands a most extensive prospect in every direction. Few of the buildings are large; some of them very elegant. The people are principally farmers, and the soil rich and strong. The College, Nassau Hall, is spacious, built with stone, and stands on the highest ground in the town. It fronts to the north and towards the street, and has before it a very large yard walled in with stone and lime. The ground descends considerably from the College to the street, which gives it a lofty appearance. At half-past five (A. M.) I ventured to call on Col. Morgan, to whom I had letters, though I was in doubt whether I should find him up. He was, however, in his parlor engaged with his books, and received me very politely. He is a farmer in the strictest sense, and I believe the first in America in the knowledge of agriculture; and besides is a literary character. His house stands a little back from the College, and in a situation which commands a complete view of his whole farm, consisting of about two hundred acres. There I saw verified what I had often before heard observed, that the boundaries of his farm might be easily distinguished from his neighbors, by its high cultivation. He gave me a general history of his improvements and of the experiments he was making. His barn and yard is truly a curiosity. His garden consists of three acres and is principally employed in making experiments which appeared to be well judged and critically attended to. Here I saw the Hessian fly, as it is called, which has done immense injury to wheat. Our country is much obliged to this gentleman for the discoveries he has made and the information he has given respecting this insect, in consequence of his experiments. It has enabled the farmer in this part of the country to get rid of

an insect that had wholly cut off the crops of grain for several years successively. In his garden he had Indian corn growing in long rows, from different kinds of seed collected from the different latitudes on this continent, so far north as the Northern part of Canada, and South as far as the West Indies. His apiary struck me with astonishment; on the Southern side of his garden he had sixty-four swarms of bees in line, which I judged extended more than fifteen rods; he takes the honey when he pleases without destroying the bees. I much regretted the want of time, but being determined to reach Philadelphia, was obliged to take my leave before my curiosity was one-half gratified. It was with the utmost difficulty I could prevail on him to excuse me from tarrying longer, particularly as a son of his who was then from home, but every moment expected, had began the study of Botany, and he intended to make him master of the science.* He was very anxious I should converse with him and give him particular directions for pursuing the study. Nothing would avail but a promise to call on him on my return, and a consent to take his son under my instruction, if he could find no person sufficiently versed in the science near him.†

* Dr. Cutler was one of the most learned Botanists in America at that time.
—J F. T.

† About three years ago I met the widow of the late Dudley Woodbridge, Esq., of Marietta, who was a daughter of Col. G. Morgan, and was born in Princeton. She says that her father had a large number of Cherry trees planted on the line between the College grounds and his farm for the benefit of the students with whom he was a favorite. The mutineers in 1781, on their way from Morristown to Philadelphia, came to her father's house and he dealt so kindly with them as to do not a little toward making an adjustment of their difficulties. Col. Morgan, a few years afterwards, removed to the Western part of Pennsylvania, and was a prominent man there. He had two sons and one daughter, the late Mrs. Woodbridge, above referred to.

Parton says: Col. Morgan resided near Canonsburgh, *Ohio*, but evidently means Canonsburgh, Pennsylvania. He was a resident of Washington County, in that State when Burr sought to entice him and his to join the conspiracy.

In a letter to Col. Morgan, dated "Washington, March 26th, 1807," President Jefferson says in regard to the Burr Conspiracy: "Yours was the very first intimation I had of this plot, for which it is but justice to say you have deserved well of your country." (Jefferson's Works, v. 57.) His sons were active in arresting the Conspiracy, which drew so many of the people in the Ohio Valley into so dangerous an attitude toward the government.

"I then called on Dr. Smith Vice-President of the college, to whom I also had letters. He is a young gentleman, lives in an elegant style, and is the first literary character in this State. He waited on me to college, introduced me to all the tutors and showed me the apartments of the college. The building is of three stories, has three cross entries and a long one in the first story. The chambers open into these entries and render the communication more convenient. The library is small; many of the books were taken out by the British troops, while they were not so complaisant as to return them. The cabinet and philosophical apparatus are very indifferent. The only article worthy of notice was the orrery made by Mr. Rittenhouse. This is an elegant machine and much exceeds any that have been made in Europe. I was, however, much disappointed to find that part of it had been sent to Philadelphia to be repaired, which consisted of the whole of the terrestrial and lunar motions, and the most curious part of the machine. I was much pleased with the Hall and the stage erected for the exhibition. It is well formed for plays which are permitted here, and dialogue speaking principally cultivated. The Hall is ornamented with several paintings, particularly the famous battle in this town, the next morning after the capture of the Hessians at Trenton.* It is more than six feet square, &c." Then follows a description of the painting and then Dr. C. writes: "After viewing this scene on canvass, we ascended to the cupola of the college and took a view of the ground itself on which the battle was fought, the manner of the attack, and the several directions in which the British fled. It was no small gratification to take so extensive a view as this situation afforded of the place where so important an event in the history of the American Revolution was exhibited. Here again, I felt myself straightened for time and was obliged to take my leave of Dr. Smith who had shown me the most polite attention, rather abruptly, but I promised to call on him on my return. When I returned to the tavern I found a gentleman going to Philadelphia in a sulky. Bill, six shillings' sixpence.

"In about five miles we passed through a town called Maidenhead, but of no consideration, unless it be on account of its name

* A slight mistake by Dr. Cutler: the Hessians were captured on the morning of Dec. 26, 1777. J. F. T.

for the houses were as scattered as in other parts of the country. We made our first stage to Trenton, thirteen miles, at Vandegrift's tavern at the ferry. This town is spread over a considerable space of ground. There are parallel streets that pass through the body of the town and are connected by cross streets at right angles. There are no considerable buildings. The town is at a small distance from the Delaware river and is situated on a river that comes in from the Northeast and unites with the Delaware at this place. There is only one small meeting house and one church in this town. I therefore conclude that the people are not much disposed to attend public worship, for the two houses I presume are not sufficient to hold one-third of the inhabitants. Over the river in the compact part of the town is a spacious stone bridge, supported by arches built with stone and lime with a high wall on each side handsomely laid. At the foot of the bridge are mills for grinding and bolting wheat. These mills are contained in a very large stone building three stories high and are remarkable for the prodigious quantity and excellent quality of the flour which is ground in them every twenty-four hours.

* * * * The houses in this, and indeed in all the towns in New Jersey, are built in a style very different from that of New England. But I think it far less elegant and by no means has so good an effect on the eye. The want of large meeting houses and towering steeples is a great defect, and diminishes that air of grandeur which adorns almost every village in New England. Neither are the houses so spacious or so well built. But this town stands higher on the list of fame and will be remembered by future ages on account of the memorable victory, and indeed the first complete victory obtained by the illustrious Washington over the British army."

The remainder of Dr. C's diary of this journey to Philadelphia is extremely interesting, but I pass over it to give the concluding paragraphs of his journal on the return journey which was by the way of Morristown. The *Uriah Cutler* mentioned in the journal is the ancestor of Senator Augustus Cutler of Morris County.

"About two miles northeast of Morristown, N. J., I made a visit to an uncle Uriah Cutler, the only brother of my father. I had never seen him, nor had he seen my father for nearly fifty years. The old gentleman was overjoyed when I told him who I was, and

gave me a most hearty welcome. I was much pleased with his situation and circumstances. He has a very pretty farm and decent house. His land is excellent; large orchards of apple trees, peach and every kind of fruit which is propagated in this part of the country. He lives as well as a farmer can wish and with very little labor. Here I found a large pair of oxen which he assured me were the only pair in town. He has also a very pretty dairy of cows, having retained the idea of propagating neat cattle, which he brought from New England. But he had partly gone into the style of Jersey farmers for he has five fine horses. Although some of his neighbors seemed, he said, to be convinced of the utility of neat cattle, yet he could not in any considerable degree prevail on them to leave their old habits. He thought, however, that the Jersey people raised more fine cattle than they used to do. My uncle is the younger of the family and is sixty-four years of age but is uncommonly sprightly and active for that period of life. Like my father, he has but one son, whose name is Jesse, which has been much of a family name in the lateral branches. He lives in one part of the house and has married a wife who bids fair to be a fruitful vine, for she has had three children in five years. This son is the only surviving child of eight. He has had three other sons. Abiather, David, and Jonathan: One of these has left a widow and two children. My uncle lives with a second wife, to whom he has been married fifteen years but has had no children. He seems to be very happy in the connection his son has formed, which he often mentions with peculiar satisfaction. His son's wife appears to be a very agreeable woman, and was descended from a good family. We spent the afternoon in viewing his farm, barn, orchard, etc. I was particularly pleased to find that as a farmer he was very neat. His lands were in fine order, well fenced, and his lots judiciously disposed. His crop of wheat has been unusually large and he was now sowing his buckwheat which he said was a profitable grain and insisted on my taking some seed and making the experiment in Massachusetts. As I was determined to go on my journey the next morning, which at first my uncle absolutely forbade, he insisted that we should make a long evening of it, and we did not retire until after one.

JULY, 17th.

"This morning when I proposed setting out I found my uncle's

passions much agitated, and it was with pain I assured him I must go. After breakfast I took my leave of the family with the promise that if I ever came in that part of the country again I would call, and if possible, spend more time. My uncle is situated on high land. His farm is situated on the southern declivity of a long hill with an extensive prospect south. But I had not traveled many miles before the land became broken, hilly and poor. Soon after I came to Newark mountain. When I came to Bergentown I was determined to make Mons. Mechard a visit, to whom I had letters. He is the French Botanist sent to America for the purpose of establishing a Botanical garden where he collects trees and plants of every species and gives in exchange foreign trees and plants which is sent to him from France at the expense of the King. I was told that he had established his garden a few miles from Bergentown and up the Hudson river, but when I enquired here, the Dutch people either would not or did not know anything of such a man or his garden. Vexed at their not understanding me or my not being able to understand them, for it appeared to me that they did not want to give me any information, I rode on through the town the way which I supposed would lead to his garden. At length I obtained information that he lived five miles on, the way I was going, but I found it nearer ten, and the road most wretched, through lonely hilly woods. As I came out of the woods I found a number of houses in a low sandy piece of ground surrounded by swamps. The first I came to was the "Three Pigeons Tavern," the place I was directed to inquire for: this tavern is kept by a Dutchman and is as remarkable for its neatness as any house I ever set my foot in. There I left my horse and went on about half a mile to Mons. Mechard's. Unfortunately, he had gone to the Carolinas. There were several gardeners, but they appeared to understand little of botany. They however showed me the gardens and were very complaisant. There was a considerable collection of exotic shrubs and plants set in a kind of beds for transplanting. The American plants they had received were mostly sent to France. There was no order or beauty in the gardens. The soil was remarkably poor and sandy, the situation wretched, and the way to it as bad as can well be conceived. Of all places in America, this would have been one of the very last I should have thought of for such a purpose. What could induce Mechard to fix down in this awful gloomy, lonely, miserable spot, is beyond my power to conceive. I was never more disappointed, and regretted the pains I had taken to see the ill taste of this Botanical Frenchman. Arrived at New York about sunset and lodged again at Mr. Henderson's, who received me with the greatest cordiality."

PROCEEDINGS

OF THE

New Jersey Historical Society.

SECOND SERIES.

VOL. III.

1873.

No. 3.

NEWARK, May 15th, 1873.

The Society met in their rooms at 12 M. the President the REV. RAVAUD K. RODGERS, D. D., being in the chair, with a large attendance of members from different parts of the State.

After the reading of the minutes of the last meeting by the Recording Secretary, the Corresponding Secretary reported on the correspondence since January. Letters were presented from a number of gentlemen accepting membership: from the Historical Societies of Iowa, Ohio and Georgia, the New England Historic Genealogical Society, Essex Institute, and Smithsonian Institution, acknowledging the receipt of the Society's recent publications; from the Minnesota Academy of Natural Sciences and Chicago Public Library, soliciting exchanges; from Rev. R. K. Rodgers, D. D., accompanying a donation of sixty-three volumes for the library; from Mr. William Cumback of Greensburgh, Ind., making inquiries as to the exercise of Female suffrage in New Jersey; from Mr. Edwin Salter, of Washington, D. C., inquiring into the meaning of "Piscataway," the name of a township in Middlesex County; from Mr. Wm. Nelson of Paterson, and Mr. Joseph T. Crayon of New Foundland, Sussex County, with newspaper slips of local history; from Rev. Abm. Messler, D. D., accepting an invitation to read a paper before the Society and from Benson J. Lossing, Esq., regretting that various engagements would prevent his doing so; from Governor Parker and Rev. Dr. Hamill, giving reasons for their non-attendance; from the Hon. Robert Gilchrist, Attorney General, with "the State of the Question of Jurisdiction and Boundary between New Jersey and

Delaware," a paper of great interest at the present time; and from a number of other gentlemen in relation to the operations of the Society.

The Treasurer reported the cash balance in his hands as amounting to \$920.33.

DR. PENNINGTON, of the Executive Committee, reported verbally that nothing of moment had occurred calling for action of the committee, but a proposition having been made to them for a lease of the lot belonging to the Society in West Park street, he wished to hear the views of the members in relation thereto. After some discussion it was—

Resolved, That the Finance Committee be authorized to lease the Society's lot in West Park street, if in their judgment they think it advisable, on such terms and for such a period as may be satisfactory to them.

MR. WHITEHEAD, from the Committee on Publications, reported verbally that since the meeting in January another number of the "Proceedings" had been published, containing the business transactions of the Society to the present time, and the interesting extracts from the journals of Rev. Dr. Manasseh Cutler when travelling through New Jersey, Pennsylvania and Ohio in 1787-8.

MR. MARTIN R. DENNIS, from the Committee on the Library submitted the following report:

"The Committee on the Library would respectfully report that since the last meeting there have been received as donations 62 volumes and 57 pamphlets, as detailed in an accompanying statement.* They have also the pleasure of announcing the receipt from Mrs Charlotte L. Rutherford, the widow and executrix of our late President John Rutherford, Esq., of a large number of parchment deeds and other manuscripts not only valuable from their unique character, but exceedingly interesting from their identification with the early history of the State. They constitute a collection which, having been for century or more safely preserved in the Rutherford family, are now placed with the Society as a proper depository to ensure their safety

* See page 103

for all time. A list of the Documents is appended to this report and the members cannot but be interested by an inspection of them.*

"The lease of the rooms occupied by the Society having expired, a new one has been taken for five years at the rate of \$700 per annum, and an arrangement has been made with the Board of Trade of the City of Newark, on satisfactory terms for their continued occupation of the Assembly Room. It is hoped that, before the expiration of the lease, the Society, through the liberality of its friends, may be in occupancy of a building of its own. In accordance with the directions of the Society the Committee have obtained a rough plan for the improvement of the lot in West Park street, designed to exhibit its capacity and how it may best be utilized for our purposes.

"The Committee are pleased to state that they have received from the family of Mr. Congar, our late librarian, an excellent photograph likeness of our lamented associate. They have to report that they have not been able to find any member of the Society willing to take upon himself the responsibilities of the position vacated by his death. The Treasurer, from the official relations he bears both to the Society and the Board of Trade, is enabled by his presence, some hours of each day, to supply some of the facilities which members and others desire, but it would be cause for congratulation could the Library fund be so increased as to admit of our tendering to a competent Librarian some other compensation than that resulting from the consciousness of having faithfully served the Society and the public.

"Some progress has been made since the last meeting in the preparation of a Catalogue of the maps belonging to the Society, and other improvements are in contemplation."

The Committee on Colonial Documents presented the following report :

"The Committee charged with the duty of obtaining for the State, copies of the New Jersey Colonial Documents which are in the Record Offices of England, respectfully report that :

* See page 110

"They have the satisfaction of presenting for the examination of the members of the Society, as the first fruits of their labors, twenty-four folio cases in book form, containing the transcripts received to the present time.. Thirteen of the cases contain *Minutes of the Provincial Council*, commencing with 1703 and extending to 1769; the State never having possessed any record of the proceedings of this important branch of the government during the administration of the Colonial Governors. The other cases contain the *Miscellaneous Papers*, and are of dates between 1689 and 1753. There are yet eleven or twelve more cases daily expected from England, bringing down the dates to the period of the War for Independence.

"The Committee congratulate the Society and all interested in the history of the State upon the success which has attended this undertaking, both as to cost and material results, particularly as it is in a great degree due to the previous action of a few of its members, in obtaining in 1851 the lists of documents, which became the basis of the Analytical Index which forms the 5th volume of the Society's "Collections." The possession of that Index, as was stated by the Committee in their previous report, left available for the expense of copying, a very considerable sum that otherwise would necessarily have been expended in searching for and examining documents, and enabled the Committee to discriminate at once between those of primary and those of secondary importance.

"The Committee's instructions to Mr. Henry Stevens, their Agent in London, limited his expenditures strictly to the amount appropriated by the State for the purpose, but ascertaining from him that besides the documents which, although valuable, the Committee passed over when making their first selection, many others had come under his notice which were essential to the completeness of the work; application was made to the last Legislature for another appropriation, but contrary to the Committee's expectation, the bill, after passing the Senate was lost in the House of Assembly. Coming up on the last business day of the session, and not being in the charge of any particular member, its importance was overlooked. Its failure is to be regretted as the experience of Mr. Stevens' copyists and assistants would have materially facilitated the continued progress of the work, and the probable delay attendant upon another

application for the necessary permits would have been avoided. The Committee, however, cannot doubt that the next Legislature will promptly authorize the further prosecution of the work, both of copying and printing, so that the people of the State may not be longer without the materials for a history of the State in an accessible form."

"The Committee cannot close their report without drawing special attention to the manner in which Mr. Stevens has executed the trust reposed in him; they are fully convinced that through no other medium could they have secured for the Society and the State such satisfactory results."

MR. HAYES from the Committee on Nominations, reported favorably on several gentlemen whose names had been submitted to them, who were thereupon elected members, and new nominations were received.

MR. WHITEHEAD said that nearly twenty-eight years ago, in September, 1845, he had the pleasure of bringing to the notice of the Society, the existence of the highly important and interesting documents which the Society had had the pleasure to receive. Although their general character was understood and appreciated by the ladies in whose possession they then were, yet not until an examination by him at their request, were the special features which give to many of them peculiar interest for the New Jersey historian and antiquary, fully recognized. Among the many generous deeds for which the Society had to thank different members of the Rutherford family the last is certainly not the least. He offered the following resolutions which were adopted:

Whereas, Mrs. Charlotte L. Rutherford, Executrix of John Rutherford, deceased, late President of the Society, has deposited in its library a valuable collection of original documents connected with the early history of the State, therefore,

Resolved, That the thanks of the Society be returned to Mrs. Rutherford for this mark of her confidence, with the assurance that on taking charge of the documents it pledges itself to extend to them all proper care and preservation.

Resolved, That the Committee on the Library be requested to take into consideration the propriety of procuring an iron chest for the reception of the documents received from Mrs. Rutherford, and other valuable memorials in the possession of the Society.

MR. DENNIS, referring to the difficulty of obtaining a member of the Society to fill the office of Librarian, and to the necessity existing for having the library under the control of some officer of the Society, offered the following resolution :

Resolved; That Mr. Whitehead, the Corresponding Secretary, be requested to take charge of the library until a librarian is appointed.

MR. WHITEHEAD, recognizing the propriety of having some one in a measure responsible for the proper care of the library, expressed his willingness to accede to the request of the Society temporarily, with the understanding that he should be relieved from the position as soon as possible, his engagements being such as to preclude his assuming permanently any other duties or responsibilities for the Society.

MR. ASHER TAYLOR presented a photograph of Lieutenant Joseph Taylor, of New Dorp, Staten Island, with a summary of his services during the late war; and an old genealogical table, showing the descent of the family of David Lyell (in the early part of the last century a prominent resident of Perth Amboy), from Sir Thomas Loraine, of Kirkcaldy, in Northumberland.

From MR. CHARLES E. ELMER, of Bridgeton, was received an old broadside, preserved in the family of General James Giles, giving the "Order of the Funeral Procession, to be had at Trenton on Tuesday, the 14th day of January, 1800, in commemoration of the late General George Washington, deceased."

From MR. EDMUND D. HALSEY of Morristown, the diary of Dr. Jabez Campfield, a surgeon in the Revolutionary army, kept during Sullivan's expedition into Western Pennsylvania and New York in 1779.

MR. CHARLES MEGILL presented a copy of the Philadelphia Press, containing an account of the transmission of the news of the battle of Lexington from place to place in April, 1775, from Watertown to Philadelphia by express, taking from 10 A. M. on the 19th, to 5 P. M. on the 24th, for its transmission.

The amendment to the seventh section of the constitution, proposed by Colonel Swords at the last meeting, making the annual dues of the members three dollars instead of two, was then taken up.

After some explanatory remarks from COLONEL SWORDS as to the propriety of the increase. MR. LUCIUS D. BALDWIN moved to amend by making the sum four dollars instead of three. This the chair pronounced not admissable, the constitution not providing for any modification of a proposed alteration after once made and entered upon the minutes. After some further discussion by Messrs. Duryee, Smith, Hayes and others, favoring higher dues, Mr. Baldwin withdrew his amendment, and the proposed alteration was adopted.

MR. HAYES gave notice of an amendment to the third article of the constitution that would authorize the election as honorary members of persons residing in the State.

The Society then took a recess and partook of a collation served in the document room, after which, an anticipated paper not having been received, the members spent some time in colloquial discussion on genealogical subjects and then adjourned.

Donations.

ANNOUNCED MAY 15, 1873.

From Harvard College—Annual Reports of the President and Treasurer, 1871-'72.

From Hon. F. T. Frelinghuysen—Official Gazette of the United States Patent Office. Vol. II., No. 29.

Congressional Globe. Part 1-3, 3d Session, 41st. Congress, 1870-'71. Part 1-5, 2nd Session, 42nd. Congress, 1871-'72, with Appendix and Index, 10 Vols.

Report of the Committee on Privileges and Elections in reference to the State Government of Louisiana, Feb. 20, 1873.

From Joseph N. Tuttle—View of Old Tennent Church on the Battle Ground of Monmouth, N. J. Photographed by Cheeseman, Nov. 4, 1868.

From United States Patent Office—Official Gazette of United States Patent Office, 1872; January to April, 1873.

From R. S. Swords—Proceedings of the 5th Annual Meeting of National Board of Trade, held in New York, Oct., 1872.

From the Publishers—The American Historical Record and Repertory of Notes and Queries. Edited by B. J. Lossing. Nos. 12–16.

From the New England Historic and Genealogical Society—Proceedings of the Society at the Annual Meeting, Jan. 1, 1873, and Register. Vol. XXVII., No. 2.

From the Pennsylvania Historical Society—The Penn and Logan Correspondence. Vol. II.—Vol. X. of the Society's Memoirs. Catalogue of the Paintings and other objects of interest belonging to the Society.

From Thomas G. Bunnell—Historical Directory of Sussex Co., N. J., containing a Summary of events from the first settlement, with illustrations and Map of the County, 1872.

From Beach Vanderpool—Reports of Commissioners appointed to select a Site and build an Asylum for the Insane of New Jersey, Nov., 1872.

Fifteenth Annual Report of the Chicago Relief and Aid Society, for the year 1872.

From the New York Genealogical and Biographical Society—The New York Genealogical and Biographical Record. Vol. XXXIII., No. 4; Vol. IV., No. 1, 2.

From the American Philosophical Society—Proceedings of the Society. Vol. XII., No. 89. July to December.

From the Author—A Compendious History of New England from the accession of George II. to the First General Congress of the Anglo-American Colonies, by John Gorham Palfrey.

From the Boston Public Library—Bulletin. Nos. 24, 25.

From the American Antiquarian Society—Proceedings of the Society at the Annual Meeting in Worcester, Oct. 21, 1872. No. 59.

From the Board of Public Charities, Penn.—Third Annual Report of the Board of Commissioners of Public Charities of Pennsylvania, with Report of General Agent and Secretary. Jan., 1873.

From John Mix—Official Letters to the American Congress during the war between the United Colonies and Great Britain, by George Washington. Purchased by Mr. Mix in the Great Market called Luchin Dawr, St. Petersburg, Russia in 1858.

From Rev. Joseph F. Tuttle, D. D.—Addresses at the Induction of Rev. Francis L. Patton to the Professorship of Theology in the Presbyterian Theological Seminary of the Northwest, Oct. 3, 1872.

Three Centuries of Presbyterianism—a discourse before the Synod of Cincinnati, by Professor E. D. Morris, of Lane Theological Seminary, Oct. 18, 1872.

From the Author—Thirty-First Annual Report of the ministry at large in the City of Providence, at a Public meeting in the Congregational Church, Feb. 3, 1873. By Edwin M. Stone.

From Robert Clarke—Sixth Reunion of the Society of the Army of the Cumberland, held at Dayton, Ohio, 1872.

Anti-Slavery opinions before the year 1800. Read before the Cincinnati Literary Club, Nov. 16, 1872, by William F. Poole, Librarian of the Public Library of Cincinnati.

From the Essex Institute—Bulletin of the Institute. Vol. IV., Nos. 9, 10, 11, 12; Vol. V., Nos. 1, 2.

From the Iowa Historical Society—The Annals of Iowa, for January, 1873. Vol. XI., No. 1.

From Professor H. C. Cameron—Catalogue of the College of New Jersey, 1872.

From Dr. J. C. Dalton—Memorial of Edward B. Dalton, M. D., 1873.

From the Trustees of the Free Public Library of New Bedford—Twenty-First Annual Report, 1873.

From Sheldon H. Smith—Map of Elizabeth Town Point, with Report of Commissioners appointed by the Court of Chancery to divide the lands between Thomas Gibbons Trumbull, &c. and Peter Kean, &c., 1824.

The case of the Proprietors of East New Jersey, with the opinions of Counsel on the same, Nov. 20, 1824.

From the Minnesota Historical Society—Collections of the Society. Vol. I. A republication of the original Papers issued in 1850-'51-'52-'53-'56.

Annual Reports of the Minnesota Historical Society to the Legislature, for the year 1872.

A Sketch of the Organization, Objects and Membership of Old Settlers' Association of Minnesota, 1872.

From the Republic Publishing Company—A monthly Magazine devoted to the dissemination of Political information. April, 1873. Vol. I., No. 2.

From the Author—Memorial of William Spooner, 1867, and of his descendants to the Third Generation; of his great-grandson, Elnathan Spooner, and of his descecdants to 1871- By Thomas Spooner.

From the Author—The Pennington Family of Connecticut and New Jersey, by Capt. A. C. M. Pennington, 2nd Art'y, U. S. A.

From the Author—Historical Address. "Woodbury and Vicinity," by Benjamin F. Carter.

From the Society—Constitution and By-Laws of the Minnesota Academy of Natural Sciences, with Address of President, List of Officers and Committees for 1873.

From Rev. Dr. R. K. Rodgers—Minutes of the Synuod of New Jersey, at their Sessions, Trenton, N. J., Oct., 1872.

Universal History, 20 vols. Remains of Griffin, 2 vols. Polynesian Researches, 4 vols. Three years in America, 2 vols. Travels in Malta, 1 vol. Sketches of Turkey, 1 vol. Black Hawk, 1 vol. Fidler's Observations, 1 vol. Kay's Travels, 1 vol.

From the Commissioners—Report of the Riparian Commissioners, 1873.

From Professor Benjamin Pierce—Report of the Superintendent of the United States Coast Survey, showing the Progress of the Survey during the year 1869.

From an Unknown Source—The Benson Family of Newport, Rhode Island, with an Appendix.

From S. G. Sturges—Holbrook's Newark Directory, 1867-'68-'69-'70, and Newark City and Business Directory, 1870, 4 Vols.

From Mrs. Charlotte Rutherford—Unexecuted Lease from Trinity Church, N. Y. to James Emans, Sept. 20, 1784, for Lot in Vesey street.

Exemplified Copy of the Acts for running Line between New Jersey and New York and passed by New Jersey Assembly, Feb. 18, 1747.

From Rhode Island Historical Society—Twenty-Third and Twenty-Fifth Annual Reports on Public Schools of Rhode Island, 1868, '70.

Acts relating to the Public Schools, Report of Committee on Fisheries of Narragansett Bay, 1870. Report of Commissioners of Internal Fisheries, 1872. Report of Governor on the Rhode Island War Claim, Jan., 1868. Proceedings of Congress on the reception of the Statue of Roger Williams, Jan., 1872. Proceedings at the dedication of the Soldiers' and Sailors' Monument Sept. 16, 1871. Report of Board of Inspectors of Rhode Island State Prison, 1871. Insurance Laws of Rhode Island. Two Messages of Gov. Padelford, 1870, '72. Second and Third Annual Reports of Board of State Charities and Corrections, 1870, '71. 13 pamphlets. .

From Daniel Price—A copy of the Albany Gazette, Dec. 23d, 1816, and of the Saratoga Journal, Oct. 18, 1815.

From Thomas F. DeVoe—Forty-Fifth Annual Report of Board of Trustee of the Northern Dispensary for 1871. Abattoirs—A Paper read before the Polytechnic Branch of the American Institute, June 8, 1865, by Thomas F. DeVoe. Semi-Centennial Discourse on the Laying the Corner Stone of St. Luke's Church, Hudson street, New York, June 4, 1871. By the Rector, Rev. Isaac H. Tuttle, D. D.

A Political Conspiracy of Jeff. Davis, the Traitor and the Copperhead Democracy unmasked, 1864.

Selections from Correspondence and Papers.

LAID BEFORE THE SOCIETY, MAY 15, 1873.

FROM MR. EDWIN SALTER.

WASHINGTON, D. C., MAY 4th, 1873.

W. A. WHITEHEAD, ESQ.,

Corresponding Sec'y N. J. Hist. Soc.

DEAR SIR:—Can you give me any information as to the meaning of the name Piscataway, now applied to a township in Middlesex? It is generally understood to be a corruption of the New England

Piscataqua from whence the first settlers came. Webster's Illustrated Dictionary (page 1631) says the name Piscataqua is of Indian origin, meaning "great deer river." But this definition is probably given, like some others of local names, on traditionary authority. An intelligent gentleman from New England, whose ancestors lived in the vicinity of Piscataqua river, informs me that he was told by them that the name was derived from *Pisces aqua*, Latin, signifying a water of fishes—substantially a water where fish are abundant. Does not this definition seem the most plausible and probable?

Yours truly,

EDWIN SALTER.

EXTRACT FROM ANSWER.

NEW JERSEY HISTORICAL SOCIETY,

May 14th, 1873.

EDWIN SALTER, Esq., WASHINGTON.

DEAR SIR:—"There is no doubt of the fact that the Piscataway, Middlesex County, New Jersey, received its name from the place whence the settlers came. * * * * * Webster's authority for considering it "Great Deer River" is undoubtedly Judge C. E. Potter of New Hampshire, who gives Piscataqua as derived from Piscataquanke, a corruption of Posattuckauke, in the language of the Abnaquies. *Pos* (great) *attuck* (deer) *auke* (place). His paper may be found in the Collections of Maine Historical Society, Vol. IV., p 291. The Hon. Wm. Willis in the same volume, however, gives it as derived from *Piscataquis*—a river. * * * Heckewelder * * * is said to have derived our Piscataway from *Pisgtatanwi* (Dark) it being sagely suggested that *perhaps* the soil in that region may have been dark. I place very little dependence, however, upon any of these interpretations, so much depending upon the pronunciation of the Indians translated by Europeans.

Very truly yours,

W. A. WHITEHEAD, Cor. Sec.

FROM MR. EDMUND D. HALSEY.

MORRISTOWN, N. J., MAY 25th, 1873.

WM. A. WHITEHEAD, ESQ.,

Cor. Sec'y. N. J. Historical Society.

DEAR SIR: It gives me pleasure to send you herewith for the use of the Society and for preservation with their collections, the diary of Dr. Jabez Campfield, formerly of this place, a surgeon in the Revolutionary Army and a member of the Cincinnati. He accompanied Sullivan's Expedition into Western Pennsylvania and New York in 1779, and this diary is his narrative of that campaign. He left Morristown May 23d and three days after joined the command which then consisted of the Second New York Regiment and Spencer's New Jersey Regiment at Tunkhanna. He returned to his own house on the second of October following. "having travelled continually on the way every day since the 15th September from Genessee." As the detailed experience of a man of education and observation it throws much light on the operations in which he and his Jersey Regiment shared.

The book was rescued from a mass of rubbish and old paper which had been sold in the lump for six cents per pound, and it was with some difficulty I ascertained the name of the author, which does not appear in the book itself. In the same book Captain William Campfield, his son, had his "Commandants Orderly Book" as Captain commanding Morris Squadron New Jersey Cavalry, June 19th, 1798, to August 24th, 1807. A list of banks in the United States in 1812 and other matters not so interesting are found on other pages of the book. This William Campfield was a Captain in the Morris County Regiment of militia in the same war.

I endeavored with some little success to ascertain something of the other history of Dr. Campfield and give you the result. He was born at Newark, New Jersey, and when quite a lad was sent to Providence, R. I., to school, where he fitted for college. He graduated at Nassau Hall in 1759 and subsequently married Miss Sarah Ward of Newark and settled down in the practice of his profession at Morristown. His residence was in Morris Street, but he owned a

large farm on the New Vernon road which for many years after his death belonged to James Wood, but was known as the Campfield farm. He entered the service soon after the breaking out of the war and was Senior Surgeon on Dr. Burnett's staff. In Gen. Stryker's official register of officers and men of New Jersey in the Revolutionary War, page 73, his name appears as "Surgeon 'Spencer's Regiment' Continental Army, January 1st, 1797; discharged at the close of the war." After the declaration of peace he continued to reside in Morristown till his death in May, 1821, at the age of eighty-three years, five months and twenty days. He was surrogate of Morris County from the beginning of our County records in 1784 to 1804. In his will which is recorded in the Morris County Surrogate's office, dated Aug. 17th, 1818, and proved June 25th, 1821, he devised all his property to his son and only child, Dr. William Campfield (the Captain Campfield above mentioned,) who was also a graduate of Princeton and who survived his father but three years.

There are three grand-children of the old Doctor now living, Dr. William A. Campfield of Lisbon, N. Y., Charles H. Campfield of Savannah, Ga., and Mrs. C. A. Dunham, widow of Dr. Lewis Dunham deceased, late of New Brunswick, N. J. Another grand-son, Edward Campfield, died in Augusta, Ga., leaving a son, Dr. H. T. Campfield, to whom I am indebted for much of this information.

Hoping that the manuscript may interest you as it has me, I am

Yours very truly,

EDMUND D. HALSEY.

Original Documents.

DEPOSITED WITH THE SOCIETY BY

MRS. CHARLOTTE L. RUTHERFURD.

- No. 1 ORIGINAL LEASE for a year from James Duke of York to Lords Berkley and Carteret for the whole of New Jersey dated June 23d, 1664.
- No. 2 ORIGINAL RELEASE of the same June 24th, 1664.

- No. 3 ORIGINAL LEASE for a year from James Duke of York to Sir George Carteret for half the northern of New Jersey, dated July 28th, 1674.
- No. 4 ORIGINAL RELEASE of the same July 29th, 1674.
- No. 4½ Copy of the same certified by Tobias Holder, the Duke's Auditor.
- No. 5 ORIGINAL INSTRUCTIONS from Sir George Carteret for the government of his province July 31st, 1674.
- No. 6 ORIGINAL QUINTEPARTITE DEED between Sir George Carteret, Wm. Penn, Nicholas Lucas, Gawen Lawrie and Edward Byllinge, dated July 1st, 1676. dividing the Province into East and West Jersey differently from the grant to Sir George of July 28-29, 1674.
- No. 6½ DUPLICATE OF THE SAME.
- No. 7 ORIGINAL RELEASE of Elixabeth Carteret, widow and Executrix, and the Trustees of Sir George, to the first Twelve Proprietors for all of East Jersey, dated January 1st, 1681-2, (The signatures and seals of the Trustees as follows: Earl of Bath Baron Crewe, Lord Granville, Robert Atkyns, Edward Atkyns, Thomas Pococke and Thomas Cremer.)
- No. 8 ORIGINAL DEED, from Elizabeth Carteret, Executrix, &c. to the first Twelve Proprietors for all arrearages of rents and profits due Sir George's Estate, dated February 2d, 1681-2.
- No. 9 ORIGINAL RELEASE from James, Duke of York to Sir George Carteret, (the grand-son and heir of the first Sir George) for all East Jersey, dated September 10th, 1680, but appears not to have been signed before the 16th October, 1680.
- No. 9½ DUPLICATE of the same.
- No. 10 EXEMPLIFIED COPY from the Canterbury archives of Sir George Carteret's Will: Will made Dec. 25th, 1678—proved February 19th, 1687-9.
- No. 11 ORIGINAL AGREEMENT by the first Twelve Proprietors that there should be no benefit of survivorship. &c., dated June 1st, 1682.
- No. 12 ORIGINAL RELEASE of James, Duke of York to Edward Byllinge, William Penn, Gawen Lawrie, Nicholas Lucas, John Eldridge and Edmund Warner for West Jersey, dated

August 6th, 1680. The seal (imperfect) attached to the instrument in a tin box.

- No. 13 ORIGINAL COMMISSION from Edmund Andros to Andrew Hamilton, John Campbell, Robert Vauquellin, John Bishop, John Inians and Samuel Haile. to be "Justices to keep the peace in the County of Middlesex" in East Jersey, dated New York, August 25th, 1688. The great royal provincial seal attached.
- No. 14 ORIGINAL COMMISSION from William Dockwra, in behalf of the Proprietors, to John Barclay (and in case of disability on his part to John Reid) as Surveyor General of East Jersey, dated April 6th, 1692, with the seal of the province attached in a tin box. Barclay's oath of office is on the back, dated Nov. 1st, 1692.
- No. 15 ORIGINAL DEED for one-half of his twelfth, or 1-24th of East Jersey, from Wm. Penn to Robert Barclay, dated September 22d, 1682.
- No. 16 ORIGINAL RELEASE from Penn, Lucas, Lawrie and Byllinge to Thomas Rudyard for 1-9th of 9-10th of West Jersey, in lieu of £350 due Rudyard from Byllinge May 2d, 1677.
- No. 17 REVOCATION OF ALL GOVERNOR LAWRIE'S POWERS, by order of the Proprietaries 1687.
- No. 18 ORIGINAL RELEASE from Penn, Lucas, Lawrie and Byllinge to Thomas Rudyard and John Ridge, for 1-9th of 9-10th of West Jersey, dated March 2d, 1677.
- No. 19 A PACKAGE containing :
- 1 A list of the Proprietaries, 1686.
 - 2 do. do. April 2d, 1687.
 - 3 An account of Disbursements by the Proprietaries to 1698.
 - 4 An order of the Proprietaries authorizing William Dockwra to sign for them.
 - 5 An order about Amboy, &c., Sept. 21st, 1683.
 - 6 An order, confirmatory of previous one, May 11th, 1685.
- No. 20 ORIGINAL COMMISSION from Lords Berkley and Carteret to Robert Vauquellin to be Surveyor General, with first seal of the Province (imperfect) dated February 10th, 1664-5.

- No. 21 ORIGINAL ORDER OF THE PROPRIETARIES relative to laying out of lands, and censuring Deputy Governors Lawrie and Rudyard for their manner of doing it. July 3d, 1685.
- No. 22 ORDER OF THE PROPRIETARIES directing an examination into the affairs of the Province, dated October 21st, 1685.
- No. 23 PACKAGE OF ORIGINAL DEEDS from and to the original proprietors, early patents, &c., as follows :
1. Sept. 26th, 1682. Release of *Hugh Hartshorne* (one of the original twelve Proprietors) to the *Earl of Perth* for $\frac{1}{2}$ of 1-12th of East Jersey. Consideration, 350 pounds.
 2. Sept. 26th, 1682. Release of *Clement Plumstead* (one of the original twelve) to *Robert Gordon* for $\frac{1}{2}$ of 1-12th of East Jersey. Consideration, 350 pounds.
 3. August 3d, 1683. Release of *Robert Gordon* to *Gawen Lawrie* for 1-48th of East Jersey.
 4. } March 12th, 13th, 1684-5. Lease and Release of Wm.
4 $\frac{1}{2}$. } *Dockwra* to *Robert Blackwood* for 1-48th of East Jersey, excepting such tracts as were already taken up.
 5. August 13th, 1685. Release of *George Viscount Tarbat* to *Lord Neil Campbell* for $\frac{1}{4}$ of 1-24th of East Jersey.
 6. } (Date omitted.) 1685. Lease and Release of *Lord Neil*
6 $\frac{1}{2}$. } *Campbell* to *Robert Blackwood* for $\frac{1}{2}$ of $\frac{1}{4}$ th of 1-24th of East Jersey.
 7. April 22nd, 1684. Deed from *Robert Barclay* to *Dr. John Gordon* for 1-10th of 1-48th of East Jersey.
 8. February 20th, 1683-4. Release from *Sir John Gordon Knt* and Advocate in the kingdom of Scotland to *David Mudie* for 1-10th of 1 48th of East Jersey.
 9. } March 28th-29th, 1683. Lease and Release of *James*,
9 $\frac{1}{2}$. } *Earl of Perth*, to *Sir George Mackenzie* for $\frac{1}{4}$ th of 1-24th of East Jersey.
 10. } March 4th-5th, 1683-4. Lease and Release of *Am-*
10 $\frac{1}{2}$. } *brose Rigg*, one of the original twelve, to *Robert Barclay* for $\frac{1}{2}$ of 1-24th of East Jersey.
 11. May 24th, 1690. Patent from the Proprietors to *Lord Neil Campbell* for 1000 acres on the North Branch of the Raritan and 900 acres at Barnegat.

12. August 23d, 1690. *Patent* from the Proprietors to *Archibald Campbell*, son and heir of Lord Neil Campbell, for lot of land in Perth Amboy.
13. June 10th, 1688. *Patent* to *Thomas Rudyard* for 170 acres in Middlesex Co.
14. April 14th, 1702. *Patent* to *George Willocks* for sundry lots in Perth Amboy and tracts elsewhere.
15. April 20th, 1703. *Patent* to *George Willocks* and *John Bradberry* for a lot in Perth Amboy and tract on Third River, where Bradberry had then a Grist-mill.
16. August 27th, 1698. *Commission* from Gov. *Jeremiah Basse* to *George Willocks* as Chief Ranger.
17. December 14th, 1697. Authority from the *Proprietors of East and West Jersey* to *Rip Van Dam*, to receive Quitt-rents, &c. in the hands of *George Willocks* or *John Reid*.

Resident Members Elected.

MAY 15th, 1873.

Thomas Agens, *Newark*.
 Benjamin B. Ayer, *M. D., Passaic*.
 William H. Baldwin, *Newark*.
 Edward B. Bingham, *Newark*.
 Martin Dennis, *Newark*.
 John R. Emery, *Trenton*.
 S. Hastings Grant, *Chatham*.
 A. V. D. Honeyman, *Germantown, Hunterdon Co.*
 William J. Magee, *Elizabeth*.
 George A. Mayhew, *Newark*.
 Charles Megill, *Trenton*.
 Esther W. Montgomery, *Trenton*.
 John T. Nixon, *Trenton*.
 William P. Parker, *Newark*.
 R. Wayne Parker, *Newark*.
 William Walter Phelps, *Englewood*.
 Samuel S. Tiffany, *Newark*.
 J. Cummings Vail, *Newark*.
 John G. Vose, *Orange*.

Honorary Members.

Benson J. Lossing, *L.L. D., Dover Plains, New York*.
 Thomas F. DeVoe, *New York*.

DIARY
OF
DR. JABEZ CAMPFIELD,
SURGEON IN "SPENCER'S REGIMENT,"

WHILE ATTACHED TO
SULLIVAN'S EXPEDITION AGAINST THE INDIANS,
From May 23d to Oct. 2d, 1779.

FROM THE ORIGINAL.

Presented to the New Jersey Historical Society, by

MR. EDMUND D. HALSEY.

D I A R Y .

MAY 23d, 1779—Left Morristown in order to join the Regt. ordered on an expedition to the westward against the Indians and Tories who had cruelly destroyed our frontiers *

MAY 24th, 1779—I arrived at Easton. Easton from Morristown 51 miles.

MAY 25, 1779—I arrived at Brinker's Mill.

MAY 26, 1779—Joined the regiment at Tunkhanna—The troops employed in this work were the Second New York Regt. & Spencer's. Col. Cortlandt having the command—our encampment continued in this place until the 30th, when we marched to Locust Hill. All this way the Land very indifferent & rough—the timber mostly pitch pine, and Hemlock, some white pine—also birch, mirtle and some beach & elm—Spruce.

This hill is covered with Small Locust trees. While the detachment remained at Locust Hill the first New Hampshire Regt. joined us, but at the same time a detachment of near 200 men under Col. Smith were sent to Wyoming so that we gained very little by the hampshire men's coming up.

JUNE 7, 1779—The camp remained on Locust Hill till June 7th, when we marched and encamped upon the borders of the Shades of Death.

JUNE 12th, 1779—The detach't passed the Shades of Death and incamped at Bullux's farm. All this way the land very indifferent and rough, however here we found very large white pine in many places—and the hemlock exceedingly large.

JUNE 14th, 1769—The Detach't marched into Wyoming, Col. Butler with a detach't from the garrison had opened the rhoad.

Wyoming is a beautiful place, through which runs the Susqua-

* See Marshall's Life of Washington, 2d Edition II, p. 321, &c.; Botta's History of the Revolution, II, p. 694; Allen II, 278; Spencer's History U. S. II, p. 51. [Ed.]

hanna, in a swift delightful course. Wyoming is distant from Easton 60 miles—and is capable of great improvement.

This settlement did consist of four different Towns, before the cruel Butler destroyed them, being inhabited by upwards of one thousand families, who, a few excepted, were entirely ruined, and such as he did not kill, were left utterly destitute of every necessary of life, and obliged to fly for refuge, into the lower settlements.

The Lands here are exceedingly good and fertile; The river abounds with various fish in the Spring, it is full of the finest shad, trout and Pickerel are also plenty here.

In passing the great swamp we cross several fine streams of water, which all abound with Trout. The first is Tunkhanna, second is Tobehanna, the third is Lahi, these are all branches of the same river and under the name of Lahi fall into the Delawar at Easton.

In this way we passed a second swamp called Bare-swamp, through which runs a considerable stream of water, called the Ten-mile run, said to fall into the Schuylkill.

Four miles from Wyoming, we cross a high mountain, which will render the land-carriage allways difficult from Easton to this place, could the other difficulties be removed.

The long stay of the army at Wyoming, was owing to the infamous conduct of the Commissaries and Quartermasters, imployed in furnishing the necessary provisions and stores. And finally, when the army did march, it was so scantily supplied, that the success of of the expedition is by that means, rendered exceedingly precarious.*

The army was delayed at Wyoming by the above mentioned causes until the 31st day of July, when it began its march, and at evening arrived at Lahawannuck—about 10 miles, here a fine stream of water which gives name to the place falls into the Susquahanna from the north-east ward. About 3 or four miles beack and on the other sid of the river, is the place where the Yankes were defeated under Wyoming Butler. This place is a rich bottom on both sides

* "Sullivan reached Wyoming on the Susquehannah on the 21st July, having delayed his march by waiting the result of extravagant demands which he continued to make, for men, provisions, and equipments, and which Congress were not disposed to grant."—Allen's Revolution II p. 276. [Ed.]

but of no great extent. At the end of this flat is the Spring fall, a brook falling from a high mountain.

AUGUST 1, 1779—The army marched to Quilutimack [7 miles] another bottom of no great extent, but rich land—here we rested one day, to give time for the boats to come up.

AUG. 3d, 1779—The army marched to Tunkhanna, [12 miles]* a fine creek falling into ye Susquahanna from the north-east. Here, as almost every where else on this river, the mountains are exceeding high and generally nigh the river, the flats being narrow, a few excepted. The flatts all rich land. Timber, white pine, pitch & yelow—several sorts of ash, & in the low bottoms, mirtle (of which sugar is mad) Black & white walnut, elm, Beech, ash, Bass, hickory, & other swamp wood.

AUG. 4th—The army marched to Vandelip's farm, [14 miles] a good plat of Bottom land, the mountains high & covered with grass even to the tops in some places.

In this days march we passed three good brooks of water falling through the mountains. How hard is the soldier's lott, who's least danger is the field of action? Fighting happens seldom, but fatigue, hunger, cold & heat are constantly varying his distress.

AUG. 5th, 1779—The army marched to Wybusing, [10 miles] Remained here two days, on account of the rain—the difficulty of getting up the boats—& Gen. Sullivan's being unable through indisposition to proceed on. At this place is a plane covered with English grass of an extraordinary large growth & beautiful. In the way we passed a very high mountain, from which we had an extensive prospect of mountains & the river, a most beautiful variety. Coming on this flatt we find very large trees, the largest are Button wood—here are many Black walnuts. This was formerly settled by Moravian Indians.

The army marched to Standingstone bottom. [10 miles] At the end of Wybusing flatt we pass Wybusing creek, a beautifull stream of water, falling through the mountains, from the north-east into the Susquahanna.

* The distances, and generally, the comments upon the soil, timber, &c, are in the margins of the original.

This day ye army marched some time by the river, but mostly at some distance over mountains. This place takes its name from a long stone standing upright on the opposite shore, which when it fell from the mountain above, accidentally took that position. Here is a fine soil unimproved. The boats made this place with difficulty.

Early in the morning of the 9th the army marched, by a narrow pass, along ye river, some times by the water side, having an high mountain on the right, afterwards, through an exceeding fine tract of of land, of considerable length in which we passed Weesaucking creek falling into Susquahanna from the north-east. After the army passed on the declivity of a high mountain, overlooking the river, by a narrow foot path dangerous to be passed by a single person, here several of our cattle and pack horses fell and were killed.

About sen set we entered on a fine bottom & continued our march to Sheshequanung, six miles from the mountain, a beautiful plane covered with grass; very necessary for our hungry horses and cattle;

In this days march Col. Procktor landed on the other side of the river and burned an Indian town which was built last spring, but now abandoned, consisting of 28 logg houses covered and 6 not finished, called Newtychaning—here we had a night march of 6 miles through thick woods with 900 cattle in our front, our Regt. being the rear guard this day. We have here continually rains or fogs, in the night, & very hott in the days & cold nights.

AUG. 9th—The army marched to upper Sheshequannunk. [15 miles] The army remained here the 10th day to give the boats time to come up. Last night one of our largest boats was cast away and everything in her lost, coming up a rappid; this is hard, for she was loaded with 7 or 8 tons of flower.

AUG. 11—The army arrived at Tioga, This day [3 miles] At 7 o'clock this morning the army marched and crossed the Susquahanna about a mile above our last camp—the river wid and rapid, and so deep as to come to the top of my boots on horse back; after crossing we passed a swamp, a small distance through, and then entered a beautiful plaine. This plane is called Tioga, from the middle of which, we crossed over the Tioga branch, on to a point of land, which is made by a junction of the Tioga branch, with the Susquahanna; on this point the army incamped, with our rear extending along the Sus-

quahanna. About a mile farther up the two rivers approach each other, within a little more than 100 yards, and, is the place which we expect will be fortified, to cover our boats untill we return.

It is remarkable that we have come into this country, by a long and difficult march, where there are but a few miles, in which a small party of our enemy could not, with ease, have much impeded our progress, and are now within twelve miles of one of their considerable settlements, & as yet have never seen or heard any thing of them, that we could, with certainty depend upon.

I very heartily wish these rusticks may be reduced to reason, by the approach of this army, without their suffering the extremes of war; there is something so cruel, in destroying the habitations of any people, (however mean they may be, being their all) that I might say the prospect hurts my feelings.*

AUG. 12—The army, leaving the invalids and baggage at Tioga, in the evening marched for Shemung, an Indian town, situate on the Tioga branch of Susquahanna. We arrived in the morning after a most fatiguing march all night in the dark through the woods. This place had been left by the inhabitants the day before.

Genl. Hand advancing with his brigade about three miles farther on was fired at by a few Indians, who killed and wounded 8 or 9 of his officers, and men.

The town was burned and the corn was destroyed and the army returned to Tioga in 24 hours having performed a march of full 40 miles in 24 hours.

* * A break here in the diary.

AUGUST 16th, 1779—A Detachment from the whole army consisting of 1000 men under command of Genls. Poor and Hand marched this day from Tioga along the west side of the Susquahanna [10 miles] to meet Genl. Clinton.

* The course of Sullivan in "laying waste and destroying every thing after the manner of his savage enemy," as Allen states, was severely commented upon at the time, but as shown by Peabody in his *Life of Sullivan*, and in *Marshall's Life of Washington*, the General only carried out the specific instructions received from the Commander-in-Chief, which were "to lay waste all the settlements around, in an effectual manner, that the country may be not merely overrun, but destroyed." *Spencer's U. S.*, II p. 51.—[Ed.]

The army incamped this evening in a beautiful forrist of white pine.

I here observed a plant in abundance which has much the smell of garden balm.

This whole country abounds in fine forrists of White Pine.

17. AUG. 1779—The Detachment marched [12 miles] to an Indian settlement about 1 mile below Owego and incamped on a beautiful plain covered with grass; just before we came on the plane, the detach't crossed a stream of water, on which Owego is situated a mile above these places were all deserted last spring, their inhabitants, only a few.

AUG. 18, 1779—The detachment marched [18 miles] to an Indian town, deserted, called Cokonnuck, of about 50 or 60 houses mostly on the other side of the river. This is a large fine flat of rich land, covered with fine grass, such as clover, spear & fowl-meadow grass, and the natural grass of the country, which here grows 8 or 10 feet high.

This days march was rendered very difficult, by the intervention of several hills and swamps. The land rough and less of white pine & more of white oak—we passed a swamp, resembling the great swamp, only it was small.

We heard G. Clinton's evening gun.*

AUG. 19th—This morning 9 o'clock Genl. Clinton joined us with upward of 200 Boats and about 700 Infantry, who marched by land—2 pieces of cannon in ye boats; his whole number it is said consists of 1500 men. 11 o'clock we marched for Owego & arrived there at sor.set. A party was sent out, who burned the town Owego. The few inhabitants, who remained there had gone of the day before we arrived.

Genl. Clinton has burned all the towns on or near the river in his way down.

AUG. 20th—A heavy rain came on last night, which prevented our march this day.

* Allen says "As if determined that his march should be no secret, a morning and evening gun were regularly fired during his whole route. He seemed to consider the enemy as already in his power and made the most absurd boasts of his intentions with regard to them."—II, p. 277. [Ed.]

AUGUST 21st, 1779—Marched back to within about 6 miles of Tioga and incamped.

AUG. 22d—The army under Genl. Clinton & the Detach't under Genl. Poor, joined the army at Tioga.

A remarkable circumstance in our march back to Tioga, is that every morning & evening the Detach't countermarched, & on our march every day had our left toward the enemy, & our right towards the river.

The Detach't. marched the 16th, at noon and returned the 22d at noon being 6 Days out, one of which was very rainy, & performed a march of 80 miles.

Genl. Clintons march from Lake Otsego to Tioga—

From the mouth of Tioga to Mackatawando 10 miles, to Owego 12, to Cokannuck 18. to Chenango 9 miles, to Tuscarora 3, to Anpuaquon 18 miles. to Unadilla 25. to the mouth of Lake Otsego 67, to the head of the lake 8 miles. [162 miles]

The general course N. E.

During the stay of the army at Tioga, 4 Blockhouses were built for the defence of the boats, and garrisoned, by the Invalids under command of Col. Shrieve & the boat men. Here we left all unnecessary baggage, and all the women & children. The Genl left here 2 6-Pounders.

AUG. 26th, 1779—Thursday—The whole army marched by the garrison of Tioga and incamped about 3 or 4 miles forward.

AUG. 27, 1779—The army marched about 6 miles & passed a difficult defile—broke two waggons. overset a traveling Forge & one of the pieces.

This shows the difficulty we have to surmount in carrying our cannon forward. Our baggage arrived at 12 o'clock at night. here we found much green corn & beans.

AUG. 28th—The army marched to Shemung. [12 miles from, Tioga] In this march Maxwell's Brigade, the artillery & Pack-horses forded the Tioga twice, to escape a difficult defile, while Genls Clinton, Poor & Hand with their brigades passed over the mountains. The Genl this day received information that a body of men were fortifying a pass about 6 miles in front.

SUNDAY, AUG. 29, 1779—The army advanced in its common or-

der of march, untill about the middle of the day when the advance received a fire from the enemy, whom they found posted advantageously behind a breast work, extending about 2 or 300 yards. built on a rising ground, having a brook and very thick brush in front at the distance of small musquet shot—they were about 1000 strong, mostly Indians under Brandt—Butler, however, commanded having with him 3 or 400 rangers and Tories.

The Rifle men amused them for some time with a scattering fire, while Genl Clinton & Poor could gain their left flank, and the artillery be properly posted. When the cannon began to play upon them, they ran immediately, in great disorder; they, then attempted to gain a mountain on the right of the river, which they effected, but Genl Poor immediately dislodged them, & their rout became general.*

Two prisoners were taken, a Tory & a Negro; 17 men were killed on the spot, who our people found, one of them an Indian of distinction—their number wounded we dont know, they must have been considerable. We had only 3 men killed and 30 wounded, among whom were a Major, Capt. & Sub'n., all of the Hampshire troops.

At evening the whole army arrived and incamped in New Town, the inhabitants of which had deserted it two days before.

Here we found great quantities of Corn, beans, pumpkins &c.

On our right up the brook, where the action was, at some distance, were found a cluster of new houses covered with split stuff, supposed to have been built for a magazine as they had not been inhabited. From the manner of building the houses here, I think, the Tories must have built them, and the corn was planted after the manner of the white people.

Aug. 30, 1779—The army remained in camp this day, part being detached to destroy the corn and other things from which the enemy might hereafter draw subsistence.

* This statement scarcely warrants the accounts given of the conflict by historians. Marshall says (II. p. 322) "While the artillery played on the works, Poor pushed up the mountain, and a sharp conflict commenced, which was sustained for some time, with considerable spirit on both sides. Poor continued to advance rapidly, pressing the Indians before him at the point of the bayonet, and occasionally firing on them, they retreated from tree to tree keeping up an irregular fire, until he gained the summit of the hill."—[Ed.]

The Com'r-in-Chief proposed to the officers and soldiers of each Brigade, the necessity of shortening the allowance of provision; our stock being too small to last long enough to accomplish the design of the expedition; when the whole army almost unanimously, agreed to subsist upon half a pound of Flower & half pound of Beef pr day, a striking instance of the virtue of the army.

This night the Genl sent down to Tioga in the boats the wounded, four of our most cumberos pieces of cannon, and all the waggons.

An extract from Genl Orders AUG. 31, 1779—Head Quarters 10 miles above New Town, after the army had agreed to accept of half rations.

"It is with the highest satisfaction sincere gratitude the Genl rec'd an acct. of the cheerful compliance of ye officers & soldiers of the army with his proposal of yesterday. This pleasing proof of their virtue fortitude & perseverance added to the striking evidence they have given of of their bravery, gives him the most agreeable sensation, and demands every return in his power. He will endeavor to expedite the operations of the campaign, as much as possible, and has no doubt, but with the supplies on hand he will soon be able to issue full rations. He assures them, that as soon as it can be reduced to a certainty, that the provisions will answer, he will not lose one moment in ordering the full allowance to be delt out.

Least any doubt should arise in the minds of the Troops respecting the money to be allowed in lieu of provisions, the Genl assures them, they shall receive, as much, as the provisions would cost a this time."

AUG. 31, 1779—The army marched on [10 miles] and found rough and mountainous ground for the first four miles & we saw several fields of corn on the opposite side of the river. In this march a considerable number of houses lately built by the Tories were destroyed. Here we passed a considerable run of water, falling from the N. E. into the Cayuga—from this place we left the river and continued our march over a level country about a north course—very good marching, it being a wide extended plane, with scattering pitch pine trees.

Col. Dayton was detached to follow the enemy up this branch, he

did not overtake them, but came to an Indian town which he destroyed—and also the corn.

SEPT. 1, 1779—The army marched in the morning over an extensive plane, upwards of five miles, when it entered a swamp having first passed by a large marsh, or meadow, on our right, and a high & steep mountain on ye left.

In this swamp, we found much difficulty in passing with our cannon, & pack horses, while we had day-light, but when the night came on, it was greatly increased, the army marching, as originally ordered.

It is worthy of observation that in this swamp we first began, about the middle of it, to descend towards the Cuyuga & Seneka Lakes, down a very steep & high hill; and here we found a considerable stream of water, which we followed the rest of the day fording it continually. We arrived, about 9 o'clock at the first Seneka settlement, called French Catharins. [13 miles]

In the morning the men found in the wood an old Indian woman, who informed, that Butler here met, two days before, a number of Indians coming to join him, with a view of opposing our progress; but they could not prevail on him to turn about again, and face this army, he immediately went off, & they remained, consulting what was best to be done. The Old Squaw thought to be above 80 years old, expected to be killed. The women were urgent to remain at home, but the men urged that if they should fall into our hands we, would make use of them to urge harder terms, so the women and children left the Town, soon about an hour high; and the men remained till our troops arrived, when they scampered off without firing a gun. The timber white pine, Pitch pine, oak and in the swamp much holm Bass wood and maple, after passing half ye swamp we had a high mountain on either hand and some small flats. The land rich in ye valle & stony on ye mountain. Here we found plenty of corn and Beans & about 12 houses a high mountain on our left as we enter ye Town.

This days march was so exceeding difficult, I mean the last part of it, that it will not admit of description, it being totally dark & through a thick swamp—and this expecting momentarily, an attack from the enemy, our army totally unacquainted with the situa

tion of the place & knowing the enemy were there.* French Cath-
erins is distant 3 miles from the Seneka Lake.

SEPT- 2d, 1779—The army remained in camp this day, our bag-
gage being unable to come on, in the dark, the night before.

The Indians, and Torys under Butler, certainly, are destitute of
the spirit of soldiers, or they would not suffer us to make such a
rappid progress, without any resistance.

I am sure, a few men of spirit, might exceedingly retard our
movements.

SEPT. 3d, 1779—The army marched at 9 o'clock, and incamped
before night 12 miles below French Catherines in the woods. This
day's marching was the best since we left Wyoming; but it had its
difficulties. Nine miles of this way, we had the Seneka Lake on our
left, at some distance. No appearance of the enemy, tho it is said
by our spys, that they are in a settlement within two miles of our
camp—a small party under command of Col. Smith are gone to beat
up their quarters. Timber—Black Walnut, Hickory, the several
oaks, the several pines, much ash, Bass wood, maple. elm, and shag
walnut—& the only chestnut I have seen within 100 miles—very
little stone, the land well watered & part mountaneous.

SEPT. 4, 1779—The army marched at 11 o'clock, being prevented
by rain, from marching sooner; however we made 13 miles and in-
camped in the woods.

At a place nigh the Lake were a few houses about 4 miles from
our last incampment which were deserted last night about the time
Col. Smith went out.

At this place called apple town is one of the finest prospects down

* "He arrived at the entrance of this swamp late in the afternoon, and was
strongly advised not to venture into it until the next morning; but he persisted,
and a miracle only prevented his obstinacy from bringing destruction upon his
men. Some of the defiles through which he had to pass, were so narrow and
dangerous that a score or two of Indians might have successfully disputed
the passage against any number of men. The night was exceedingly dark, the
men wearied, scattered and broken, and ready to die rather than move on; but
the Indian scouts who had been sent to watch them, having retired as soon
as it was dark under the full persuasion that no General in his senses would
attempt such a road by night, the defiles were fortunately unguarded, and
the General arrived with his wearied army about midnight at the town." Allen
II, p. 278.—[Ed.]

the lake, that can be imagined. The timber of ye same kind as yesterday, and very good, very little stony land.

The land on this side is fine and level, only near the lake are gulches, made by the rain, no springs or brooks of any consequence, & the land generally low, & I think very suitable for grass.

The land on the west sid of the lake rises very gradually. I believe most of this land would produce wheet and every kind of grain.

At the upper end of this Lake, is a large body of marsh, & bogg meadow all the way from French Catherines to the water of the Lake. In this days march we passed considerable tracts of land, covered with the wild pea-vines, equal to clover for horses.

SEPT. 5th, 1779—This day the army arrived at the Town of Thendara, [4 miles] near the [Seneke] lake, it is the most considerable Indian Town, I have yet seen, it is old, having large apple trees, which must have been planted many years ago. Houses covered with bark large for Indian houses. They are nasty beyond description. The land continues to be very fine and finely timbered. It is said this Peninsula is on an average about 12 miles wide, and about 45 miles long, all rich, level land well Timbered. This lake is most beautiful, & on the opposite side the land appears very level, and has a gradual rise—and not very high as far as can be seen. The inhabitants removed themselves from here last Thirsday, as we are informed by a deserter, and that they were very much discouraged.

SEPT. 6, 1779—At Shendara [3 miles] we found some Corn & Beans which was gathered by the troops; But the cornstalks & grass about the town was not sufficient for the horses & cattle. They strayed away and we could not march 'till afternoon when after marching about 3 miles we found nigh to the lake an abundance of Pasture which induced ye general to stop. The Land and Timber on it equal to the other from French Catherines, & equal to any in ye world I believe—very little stony.

Col. Gansevort's servants missed their path and took a path, which led them down to the Cayuga Lake, where they fel in with a town, which they burned, it being deserted by the inhabitants.

We are now paying, by short marches, for the former imprudent long marches.

AUG. (? Sept.) 7, 1779—The army marched, & having crossed at the mouth of the Seneke Lake, the Ford shallow and narrow, passed on through a narrow defile, made by the Lake on one side & a deep swamp on the other, & arrived upon a plane open wood, of but small extent, then passed an other long defile, made as the former. The Land, and Timber much the same with what we passed over the last 3 or 4 Days—no hills or mountains on either side ye river.

Afterward we entered a thick wood—Genl Maxwell's brigade went off to the right, & Genl Hand's with the two flanking columns went off to the left. We entered the Town of Conadasego, [12 miles] a large Indian settlement one of the principal Towns of the nation, some time, after son set.

The Indians had deserted the place some short time before our arrival. It seems we are not to see any more of these people. It was expected they would have made a great stand at this place. Here we find great quantities of Corn & beens &c.

It is difficult to account for the conduct of the Indians, who quit their Towns, & suffer us to destroy them, their corn, their only certain stock of provisions, without offering to interrupt us. The land seems to be a good deal worn out, where part of their corn is planted. The Indians take no care to have clean water, by diging, they only use brook, river & Lake water.

SEPT. 8th, 1779—This day the army remained in camp Col. Smith was detach'd, with a body of men, to destroy a considerable settlement on the west side of the lake, at which place the Indians had a great quantity of Indian corn.

A small number of men started from the camp towards the Cayuga Lake and fel in with a considerable settlement, which the inhabitants had abandoned, and destroyed it.

In this Town, Conadasego, are a considerable number of apple trees 20 or 30 years old, & about 50 houses. Here was left a child about 2 years old.

SEPT. 9, 1779—The army marched about noon, and arrived at their Incampment a little before son set—having passed a long swamp about four miles, in the whole $7\frac{1}{2}$ miles.

This swamp is the first black ash swamp I have seen, of any consequence since I left New Jersey. The Timber in the swamp is

oak, black & white ash, Beech, Bass, maple, white wood, little white pine elm & Button wood.

The swamp was very difficult to pass, here two of the carriages of the artillery were broke, which much impeded our march. They were afterwards mended so that we go on well.

SEPT. 10, 1779—This day the army marched early in the morning, and passed the other part of the swamp, which was not quite so difficult, as the first part. After we were out of the swamp we passed a fine open wood with large pieces of high grass. At length we came to a beautiful Lake [10 miles] the north end of which, we passed, and at the narrowest corner, passed the out Let, which was not very large. I rode into the lake about 10 rod and found it about 2 feet or 18 Inches deep and believe it is mostly that depth, having a white sandy bottom & the water very clear.

A small distance from this Lake is the best built Indian Town I have yet seen, the houses mostly new, & mostly log houses. The Town is called Shannondaque, the name of the lake I can not learn.

About a mile beyond this town was many fields of corn nigh to which we incamped after burning the houses. These corn fields with the beens in them, amazingly lengthen out our rations, & strengthens our hopes.

SEPT. 11—The army marched very early, the first part a thick Brush and difficult, after that broken ground, swamps & hills, on the hills much grass and the trees scattering; the swamps thick woods and Brush. Arrived in the afternoon at an Indian town called 'Angayea, on a fine plane with a small stream of water running through it. Here was many plats of Corn &c. [14 miles] within sight a lake small in extent, said to be one of the three lakes called Seneke—and it is said to be the source of the little Seneke river. The Land this day rich even on the top of the hills.

SEPT. 12, 1779—At 'Angayea the Gen'l left the greatest part of our stock of provisions & the worn out pack horses & men, and 50 good men, 1 piece of Cannon under command of Capt. Cummings.

The army marched late this day, being impeded by rain—in our march we passed the out-let of a lake of which I could learn no name.

About sunset the army incamped in the open wood, [11 miles]

Our gen'l course seems to be near south west. We marched much faster, than before, since the heavy baggage was left behind. I saw more chestnut timber this day than I have seen in our whole march—passed much good land even the hills are good.

* SEPT. 13—The army marched this morning, at son rise, and in marching about two miles came to a settlement, where was plenty of corn &c. Cannehsawes the name of this place. Here the army was impeded, by a creek, over which it was impossible to pass without making a bridge, which took up our time till after 10 o'clock. The night before Gen'l Sullivan sent, as I have been informed, a party of rifle men to Genesee, who were to return before day, under the command of Lt. Boyd. This party proceeded to a settlement, and returned part of the way, Lt. Boyd sent in some of his men to inform the Genl what discoveries were made, and remained on the path himself, with the rest of his men, waiting till the army should come up, in this situation a party of the enemy surrounded them, and killed and took the most of them; our loss in killed and taken was 16 & the officer.

The army marched again at 10 o'clock and crossed the bridge, beyond which, it crossed a very high hill covered with open woods—and at evening, arrived at a small settlement—I suppose the first of the Genesees, where is much corn and such things as Indians raise to subsist upon. After the Indians had surprised our rifle men they pursued such as had made off and fell in with our Surveyor one of whose men they wounded and took all his instruments.

In this affair our people killed three Indians, We expected this would be the end of our labor, but we are mistaken, we are again to march on, & our destination is beyond conjecture. [10 miles.] All the land we passed this day is good and the swamps and inter vales surpass any I have seen before. Black Walnuts are very large and well shaped. The Quantity of Corn in the towns is far beyond what any body has imagined. I fear the methods taken will be ineffectual for its distruction.*

* "They burned an immense quantity of grain. One hundred and sixty thousand bushels of corn were destroyed. They utterly destroyed forty villages and left no single trace of vegetation upon the surface of the ground." Botta II p. 195. [Ed.]

SEPT. 14, 1779—After the army had destroyed the corn, which was at this place ; it marched for Genessee. [5 miles]

First we passed a branch of the river, which was not by any means rapid, but muddy, and advanced on to a plane, through a swamp of large trees, Black walnutt, & white, maple, popular, ash, Bass &c.—this plane, at first appeared to be about two miles in length, and upwards of a mile wide, lying almost east & west, we coming on the east end, and the view was obstructed by a hill not very high ; But when we aproched the middle of the plane we found it open to the right an amaizing extent, when we came nigh the hill mentioned before, our march was obstructed by the Genessee river, which takes its course through the hills, and at this place enters this extensive plane, and winds its course down, as far as the eye can follow it, in its course it receives the other branches.

Both these branches being united the streem obtains the name of Genessee, & in some maps little Seneke, it falls into lake Ontario about 30 miles from here, and is said to be navigable for Battaud which being the case, there may be an easey navigation all the way to Montrael.

The grass on this extensive plain is good, the wild horses are very fond of it, and it grows as high as a man's head in many places.

Here we had a charming view of our army, which is the first, all moving in our original order of march.

The army here crossed the river and assended the hill—it continued its progress to Genessee, over several sudden hills and swamps, which were general miery, if not three rods across, at which place it arrived about sunset. This is much the largest Indian Town I have yet seen—having about 80 houses, it is built mostly of small logs and covered with bark. The Town is situate on a very fine plane, higher than the other large plane, which has generally obtained the name of flat, or botton.

The Indian houses might have been very comfortable, had they made any convenience for the smoke to be conveyed out, only a hole in the middle of the top of the roof of the house.

The Iudians are exceedingly dirty, the rubage of one of their houses, is enough to stink a whole country.

At this place, we found the mangled bodies of two, of the men we

lost day before yesterday, one known to be Lt. Boyd's, which were immediately entered with the usual honours of war.

These dead bodies had evident signs, of their having suffered the extreemest tortures, from the virtuous and faithfull allies of Great Britain headed by a Butler and Brandt, these dastardly reches not having bravery to fight us, wreak their vengeance on a few unfortunate men, they never would have dared to meet on equal terms.

The whole army are now very busy in dastroying the corn, which is abundant in this place. Some of their houses were full of it, hanging up to dry.

This is not an old place, many of their houses being new, and the inhabitants had deserted it, only the day before we arrived, here they left more of their furniture, than at any other place.

A very pretty brook of good water runs through this town.

The Indians observe no kind of order in their building, and most of their houses have a small additional place, built at one end, from which, they have a dore into ye large house—they build two tier of births one above the other, on both sides, and have fire in ye centre.

The army must have dropped the prosecution of this expedition long ago, had not the corn, beens &c., which it found from place, subsisted it. The first of Sept. we had only 23 days provisions, a great quantity of which, must inevitably be lost, from the nature of the portage.

Since we left Tioga we lost 140 cattle, most of which, we hear, have since returned to that place.

Much of our flower is carried in bags, & often falling of, and striking against trees, sometimes faling into mud, & sometimes into ye water, as we pass many streems of water, & 5 horses are committed to the management of one clumsy driver.

This instance of the virtue of this army must exceed any yet exhibited. It has undertaken and performing this tedious march on the bare allowance of $\frac{1}{2}$ lb. Flower & $\frac{1}{2}$ lb. Beef a day and 5 gils of salt to 100 lb. of Beef—without any spirit, for, whatever might have been at Tioga in store, we could find no way to bring, but very little on with us.

From French Catherin's to this place, 95 miles at least, is un-

doubtedly the best land, and capable of the greatest improvement, of any part of the possessions of the U. States.,

SEPT. 15th, 1779—This day the whole army was employed in destroying the corn at this place, untill 4 o'clock P. M., when it faced to the right about, set fire to the Town, and marched back to the fording place & repassed the Genesee river, by son set, & proceeded on to the heither end of the plane, where we encamped in the evening. [5 miles.]

I think the Genesee flatt, what I have seen of it, may be about 6 miles in length, and half that in bredth.

Beside this, there are large Swamps, covered with fine timber, almost all round the flatt, the soil of which is as rich as can be.

SEPT. 16th, 1779—This morning the army were detached early to destroy all the corn in the neighborhood of this place, it being very considerable, which being effected, the whole army crossed the creek, and pursued their old route, inverted, to the place where Lieut. Boyd and his party had been surrounded by the Indians; here were found ded and scalped so many, as when added to those formerly mentioned, make the number 17 including one Indian. This little party, it is said sustained the action for some minutes after they were completely surrounded, and 14 of them were found dead on one spot.

CONADESAGO; SEPT. 20, 1779—Since the 16th, I have been so unwell, that I could not attend to any thing more than my pains and fatigue. The army incamped here last night after marching upwards of 14 miles from a small lake on this side, Yannondaque.

Yesterday we had a pacquet arrived at camp with the news of Spain taking an active part in our difficulties.

The army marched a little before night (the Gen'l having detached 500 men to move across the mouth of the Cuyuga Lake and proceed to the Indian settlements on the east side of that lake & destroy them, then join the army at the Tioga branch. Also detached under Col. Gansevort a party to proceed to some other settlements near Albany, which, are to be destroyed) and then crossed the water, which flows from the Seneke Lake, at the mouth, and incamped about a mile up the east side.

SEPT. 21, 1779—2½ miles past Candara. The army incamped 4 o'clock afternoon.

SEPT. 23, 1779—The army rested in a deep valle about three miles above French Catharin's and about 14 miles short of the Susquahanna.

SEPT. 24, 1779—This afternoon the army arrived at Konnawa holla on the Tioga Branch of Susquahanna—here we found a garrison of our people consisting of 200 men, who, had with boats, brot up a considerable supply of provisions. This place is about 23 miles above Tioga. In this days march the army passed the Allegane mountains, which is the highest land we have passed, the water descending both ways; and what is very remarkable, this mountain, at the place, where we passed it, is a swamp of white pine and hemlock, & is very wet, altho there has not fallen any rain of consequence these 30 days past.

SEPT. 28th, 1779—Last night about 7 o'clock I arrived at Wyoming after a tedious passage by water from Connawah holla which I left the 25th, a little before night, having obtained permition to come down on account of my bad state of health. By water the way is computed to be 130 miles.

I arrived at Tioga the 26, 3 o'clock in the morning, where I was very kindly entertained by Col. Shrevee, who furnished Col. Smith with a boat, and necessary assistance, my horses were brought down by land.

SEPT. 30, 1779—I reached Easton.

OCT. 2d, 1779—Arrived at my house Morristown having traveled continually on the way every day since the 15th Sept. from Genesee.

[“Sullivan arrived about the middle of October at Easton. * * * Of the 1400 horses which he had taken with him, 300 only were brought back. His childish and absurd complaints had disgusted the Commander-in-Chief, as well as the Board of War, and the ridiculous vanity displayed in his official account of the expedition, rendered him the jest of the whole army. He was not long able to bear this downfall of his pride and cansequence, and on the 9th of November he solicited permission to resign.” (Allen II, p. 279.) “His officers and soldiers addressed him letters of thanks and felicitations which were also made public by means of the press; whether they did this of their own motion, or in compliance with the insinuations

of Sullivan, who was rather a light man, and exceedingly vain withall is uncertain."—(Botta II, p. 196.) "On receiving the communications of General Sullivan, Congress passed a vote approving his conduct and that of the army. That approbation, however, seems not to have extended beyond his conduct in the Indian country. His demands for military stores for the expedition had been so high; in his conversation with his officers, he had so freely censured the government for its failure to comply with those demands; in general orders, he had so openly complained of inattention to the preparations necessary to secure the success of the enterprise, that considerable offence was given to several members of Congress and still more to the Board of War. * * * * The endeavors of his friends to obtain a vote requesting him to continue in the service and permitting to retire from actual duty until his health should be restored, were overruled and his resignation was accepted. The resolution permitting him to resign was however, accompanied with one thanking him for past services." (Marshall's Washington, I, p. 324.)

In volume 2d, 1st series of the Society's Proceedings will be found a Journal of Lieut. Barton, during the expedition, and for a well digested narrative of the expedition, with full references to authorities, see Dawson's Battles of the United States, Vol. I, p. 533.—Ed.]

PROCEEDINGS
OF THE
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SECOND SERIES.

VOL. IV.

1874.

No. 4.

TRENTON, January 15th, 1874.

The annual meeting of the Society was held at 12 o'clock, M., in the rooms of the Board of Trade, the REV. RAYAUD K. ROGERS, D. D., President, being in the chair.

The Recording Secretary read the minutes of the last meeting, which were approved.

The Corresponding Secretary submitted the correspondence since May last, comprising letters from Benson J. Lossing, LL.D., and Thomas G. DeVoe, Esq., of New York, acknowledging their election as Honorary members, and of various other gentlemen accepting resident membership:—from the Historical Societies of Georgia, Maryland and Virginia, Wilmington Institute, Delaware; Historical and Philosophical Society of Ohio; and Essex Institute, Massachusetts, acknowledging the receipt of the Society's proceedings; from the Smithsonian Institution to the same effect, and also transmitting donations for the library, and from the following individuals also accompanying donations: Mr. H. H. Wilson of Philadelphia, Hon. F. T. Frelinghusen, Messrs. William John Potts of Camden, Augustus W. Cutler of Morristown, J. Smith Futhey of Westchester, Pa., Henry N. Beach of Orange, John R. Burnet of New York, Jacob H. Studer of Columbus, Ohio, and Rev. Wm. Hall of Elizabeth; from the University Royal, of Christiana, Norway, Department of Instruction, Washington; New York State Library and Wisconsin Historical Society, also transmitting donations; from

Mrs. Harriet A. Tenny, Michigan State Librarian, Virginia Historical Society, Louisville Library, and Mr. Edwin C. Bell of Pioneer, Pa., enquiring after the publications of the Society; the Department of Education, Washington, asking for statistics of the library; Lieut. A. D. Schenck, U. S. A., relating to the neglected condition of the British General Monckton's grave, at Freehold, Monmouth county; J. J. Howard, LL.D., of Dartmouth Row, Blackheath, England, relating to some foreign publications and to two old New Jersey manuscripts met with in England; Edward Arber, F. S. A., of London, giving information respecting the publication of the "Stationers' Company's Registers;" Messrs. E. A. Carman of Jersey City and John M. Newton of Cincinnati, making genealogical and historical enquiries; Mr. Edwin Salter of Washington City, referring to the confusion of dates made by some historical writers from not appreciating the distinction between the calendar and legal years, prior to 1752; from the Hons. John T. Nixon and Theodore F. Randolph, stating their inability to furnish historical papers, and from several other gentlemen, referring to the business operations of the Society.

In relation to the letter from Mr. Howard of England, MR. WHITEHEAD, stated that through Mr. Henry Stevens, the Society's agent in London, he had caused some inquiries to be made about the manuscripts referred to therein. and they were now in his, Mr. W's possession. He read an extract from a letter of Mr. Stevens expressing some apprehension that these were all that remained of the papers of the West Jersey Society, as they had been rescued on the way to a paper mill less than a year ago, and promising to make further inquiries. The documents were a draft of the commission of Jeremiah Basse, as Governor of West Jersey, dated May 18th, 1697, and an account of the receipts and expenditures of the West New Jersey Society, from May 15th, 1707, to January 23d, 1730.

The Treasurer submitted his report for the year, showing a balance in the treasury of \$1,003.25.*

The Committee on Publications reported that since the last meeting of the Society, another number of its "Proceedings" had been published, giving the transactions to the present time. The number

* See page, 145.

was rendered more interesting and valuable from its containing the Diary of Dr. Jabez Camfield, kept during Sullivan's Expedition against the Indians in 1779, never before printed. In this connection, the Committee stated that this is the third Diary referring to that Expedition which the Society has put in print for its more perfect elucidation; the others being those of Lieut. Wm. Barton and Lieut. Ebenezer Elmer, printed in a previous volume of the Proceedings.* Similar Journals or Diaries of Lieut. Elmer during an Expedition to the Canadian frontier in 1779, of Josiah Clark, attached to the Army in 1778 and 1779, and of Capt. David Ford, during the expedition into Pennsylvania to quell the Whiskey Insurrection of 1794, were also contained in previous volumes,† and added to their value.

The Committee renewed their recommendation made to the members on other occasions, to secure complete sets of the Society publications while they are obtainable. Of some of the volumes there are only a few copies left, and, as they contain many of the most valuable contributions to the history of the State, the opportunity to secure them should not be overlooked.

The Committee on the Library reported that additional shelving for some time needed, had been provided since the last meeting and the entire collection reārranged, greatly facilitating researches.

The manuscripts had also been reārranged, the catalogue of them made more perfect, and in accordance with the authority given them, an iron safe had been obtained wherein to deposit such of them as are especially valuable

The Alofsen collection of works relating to the Rebellion had also been catalogued. This valuable collection comprised over six hundred distinct works, in one hundred and eighty-four volumes; one hundred and seventeen of the publications not being found in Bartlett's Catalogue of "The Literature of the Rebellion."

All matter referring to New Jersey requiring it had been bound,

* Volume II.

† Volumes II, III, VII, VIII.

and it was in contemplation to proceed with the binding of the pamphlets and other important matter referring to other States, as rapidly as the finances will permit.

It was extremely desirable that some member, having the taste and leisure for the work, should feel sufficient interest in the Society to assume the charge of the library, but as yet, the Committee had received no offers of service, but they were anxious to relieve the Corresponding Secretary of the duty assigned to him at the last meeting, as soon as possible.

It was feared that the repeal of the franking privilege might operate unfavorable, by diminishing the number of public documents and other works which we have been accustomed to receive from Members of Congress and heads of Departments, but they had the assurance of the Hon. Marcus L. Ward, Representative of the Sixth District of the State, that the Society should continue, during his term of office, to be the recipients of the complete set of Documents which by special act is placed at the disposal of each Representative for such library or public institution as he may designate. The Society have now on its shelves, through the courtesy of various Members of Congress, an unbroken series of documents since the twenty-fifth Congress, inclusive (1836-7), and a large number relating to previous years, as far back as 1822, so that it may be considered the most perfect collection in the State.

The New Jersey documents were complete from 1800 to the present time, with very few exceptions, and there were also many of the years preceding; but the session laws prior to 1850 were very imperfect. Some attention on the part of the members would doubtless result in the obtainment of the volumes needed, to make the collection more complete from the organization of the State Government in 1776. As it was hoped that the library was destined to be a permanent depository for all time, of every thing illustrative of the history of the State, every one interested in that history should aid in effecting that desirable result.

It was to be regretted that there were not funds at the disposal of the Committee wherewith to purchase such books as might be needed

from time to time to render complete any particular department of the library, and which could not be secured by donation or exchange. An endowment for such a purpose from any of the members would be a most acceptable proof of their interest in the objects of the Society.

The Committee on Finance stated that, in accordance with the authority vested in them at the last meeting, they had leased to responsible parties the lot of ground on West Park street, for the period of five years, from the 1st of April next, at the rate of four hundred dollars per annum, to be used for mercantile purposes; a neat brick building to be erected thereon. This arrangement was deemed by the Committee, not only equitable in itself, but, in view of past and pending legislative action, also necessary to the welfare of the Society.

The charter of the Society recognizing it as an institution having no private ends to subserve, but intended solely for the benefit of the public at large, exempted it from the payment of all kinds of taxes and assessments, both general and local. The last legislature, however, in consequence of presumed abuse of a similar privilege by other institutions, by a general law revoked all exemptions from assessments for improvements, so that the real estate of the Society was rendered subject to such assessments, and one had already been made upon it. It was also understood that, among the amendments to the State Constitution proposed by the "Constitutional Commission" and submitted for the approval of the legislature, was one which would take away *all* exemptions, and subject the Society and all other educational, charitable and religious institutions to the same impositions as to "all State, county, township and city taxes and assessments," as if they were established for private emolument or were individual enterprises.

Should this amendment to the Constitution be adopted, the effect upon the Society, whose resources were so limited, would be exceedingly prejudicial, and the Committee thought it proper to bring the subject to the attention of the Society for such action as might be deemed expedient.

The Special Committee, charged with the duty of carrying out

the provisions of the act of the Legislature of March 29th, 1872, relating to the obtainment of copies of the Colonial Documents of New Jersey in the English archives, reported that since the last meeting, no further documents had been received. Mr. Stevens, the Society's agent had in his possession when he last wrote, eight or ten cases which he expected shortly to transmit, making in all, from thirty-two to thirty-four. "The documents, so far obtained," said the Report, "are those which were designated by the Committee as the most essential, but the appropriation was exhausted before all of that class were copied, and there are others which, although, of less importance, should be obtained before our State records can be considered by any means complete. Under these circumstances, the Committee have thought it advisable to apply to the legislature, through his Excellency, the Governor, for a further appropriation. It is due to the people of the State that, whatever documents may be required for the proper elucidation of the history of the Commonwealth of which they are so justly proud, should be in their archives, especially, when obtainable at only the cost of copying.

The twenty-four folio cases which the Committee had the pleasure of submitting for the inspection of the members at their last meeting, still remain in the library, it not being thought advisable to transmit them to Trenton until the remaining cases are received, as it is understood that, to preserve a proper chronological order, some rearrangement of all the documents may be necessary."

The Committee on Nominations reported a list of gentlemen whose names had been referred to them, who were all duly elected and further nominations were received.

The President appointed the Standing Committees, as follows :

STANDING COMMITTEES FOR 1874.

Committee on Publications—William A. Whitehead, Samuel H. Pennington, M.D., John Hall, D.D., Wm. B. Kinney, Joseph N. Tuttle.

Committee on Library—Martin R. Dennis, Peter S. Duryee, Edward Sealey, Robert S. Swords, Robert F. Ballantine.

Committee on Finance—Joseph N. Tuttle, William B. Mott, L. Spencer Goble, John C. Johnson, Charles E. Young.

Committee on Statistics—N. Norris Halstead, F. Wolcott Jackson, E. M. Shreve, Arthur Ward, M.D., William Nelson.

Committee on Nominations—David A. Hayes, David Naar, Rob't B. Campfield.

Messrs. W. B. Mott, J. D. Shotwell and Rev. Mr. Studdiford were appointed a Committee to nominate officers for the ensuing year, who subsequently made the following report, which was adopted:

OFFICERS FOR 1874.

President—RAVAUD K. RODGERS, D.D., Bound Brook.

Vice-Presidents—HENRY W. GREEN, LL. D., Trenton; SAMUEL M. HAMILL, D.D., Lawrenceville; WILLIAM B. KINNEY, Newark.

Corresponding Secretary—WILLIAM A. WHITEHEAD, Newark.

Recording Secretary—DAVID A. HAYES, Newark.

Treasurer—ROBERT S. SWORDS, Newark.

Librarian—[Vacant.]

Executive Committee—SAMUEL H. PENNINGTON, M.D., Newark; N. NORRIS HALSTEAD, Kearney; JOHN HALL, D.D., Trenton; JOHN CLEMENT, Haddonfield; CHARLES C. HAVEN, Trenton; PETER S. DURYEE, Newark; SAMUEL ALLISON, Yardville; THEODORE F. RANDOLPH, Morristown; HUGH H. BOWNE, Rahway.

An amendment to the Constitution proposed at the last meeting in Newark, by Mr. HAYES, authorizing the election as Honorary Members of residents of the State, was then taken up. Objections to the amendments being stated by Col. Swords and Mr. Whitehead, based upon the consideration that residents taking sufficient interest in the history of the State to wish to become connected with the Society, should also be willing to assume the active duties of membership, Mr. Hayes withdrew it.

A paper was then read by Mr. W. A. WHITEHEAD "On the circumstances preceding, and leading to, the surrender of the Proprietary Governments of New Jersey to the Crown in 1703."

The usual motion of thanks was adopted, but in answer to a

request for a copy, Mr. Whitehead stated that, what had been read was only a portion of a revised edition of his "East Jersey under the Proprietary Governments" which he was preparing for the press, the first edition having been for a long time out of print.

COL. SWORDS referring to the suggestion in the report of the Finance Committee, for some action against proposed amendments to the State Constitution, offered some remarks upon the virtual breach of faith in taking away privileges after they had been conferred by charter, and after patriotic, disinterested men had given time, money and energy to establish institutions solely for the benefit of the public; and offered the following resolutions:

Resolved, That this Society does respectfully remonstrate against the adoption of the proposed change in the Constitution of New Jersey which will take from the legislature the power of continuing such exceptions from taxation as by charter have been granted to this Society and other Educational, Charitable and Religious Institutions, not only because it is, so far as this Society is concerned, a violation of the good faith of the State, but also because on general principles it is opposed to the true policy of the State in fostering the religious and mental culture of her people, the cause of good morals and her progress in civilization.

Resolved, That copies of the preceding resolution be forwarded by the Corresponding Secretary to the President of the Senate and the Speaker of the House of Assembly of the State.

GENERAL HALSTEAD on seconding the resolutions, spoke earnestly against the proposed amendment as well as others; and referred in pointed terms to the injustice of imposing taxes upon property acquired by literary and educational institutions through the liberality of citizens of other States; such a procedure not only manifesting great ingratitude for favors already received contributing to the honor and welfare of the State, but putting an effectual stop to the reception of others in the future.

After some further remarks from Mr. P. S. Duryee and Rev. Dr. Sheldon the resolutions were unanimously adopted.

A vote of thanks to the Board of Trade for their hospitality was then passed and the Society adjourned to meet in Newark on the third Thursday in May next.

TREASURER'S STATEMENT OF FINANCES TO DEC. 31, 1873.

TREASURER'S STATEMENT.

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1873.

RECEIPTS.

From Initiation Fees.....	\$181 00
" Annual Dues.....	367 00
" Subscriptions to Library Fund.....	215 00
" Interest on Deposits in Newark Savings Institution	74 20
" Sales of Publications of the Society Collections and	
Proceedings.....	35 50
" M. R. Dennis & Co., Balance on Settlement of	
Accounts.....	59 77
" Sale of Waste Papers.....	36
" Rent of Room to Board of Trade.....	400 00
" Life Member Fees.....	200 00
Balance cash on hand 31st December. 1872.....	700 68
	<u>\$2,233 51</u>

19

1873.

EXPENDITURES.

To Rent of Rooms.....	\$575 00
" Salaries Assistant Librarians.....	175 00
" Expense Account, including care of Rooms, Advor-	
tising, Expressage, Postage, Carpenter, Painter,	
&c., &c.....	252 49
" Printing and Publishing Proceedings, one number,	77 75
" Life Member Fees Deposited in the Dime Savings	
Institution.....	150 00
Balance in Treasury, December 31st,	1,003 27
	<u>\$2,233 51</u>

Library Fund indebted General Fund.....	\$412 18
General Fund indebted to Life Member Fund.....	\$50 00
Annual Dues in Arrears	\$192 00

ASSETS.

Lot of Land in West Park street, value, say.....	\$10,000 00
Cash on Deposit in Newark Savings Institution.....	1,060 00
Cash on Deposit in Dime Savings Institution Life Member	
Fees and accretion of Interest.....	833 48
Cash in Treasury.....	1,003 27
	<u>\$12,896 75</u>
Total Assets,	

ROBERT S. SWORDS, *Treasurer.*

Newark, N. J., Dec. 31, 1873.

The undersigned, a Committee appointed by the Finance Committee to audit the accounts of the Treasurer, do hereby report that we have examined the same, with the accompanying vouchers, and find them correct and true.

WM. B. MOTT, }
JOHN C. JOHNSON, } *Committee.*
Newark, 10th January, 1874.

Selections from Correspondence and Papers.

LAI'D BEFORE THE SOCIETY JANUARY 15th, 1874.

CINCINNATI, O., June 6th, 1873. }
No. 82 BROADWAY. }

Wm. A. Whitehead, Esq.,

Corresponding Secretary,

New Jersey Historical Society,

DEAR SIR:—Through the suggestion of Robert Clarke of this city, the editor and publisher of the Ohio Valley Series, and of Simon Gratz of Philadelphia, I write to you for information concerning the Scioto Company—that Company of which Col. Wm. Duer was President.

I will write you what I am doing and then you will see what I wish for.

A few months ago, Robert Clarke put into my hands several manuscript histories by the old colonists of the French settlement at Gallipolis, O., in 1790, to write their history. Of course you are aware that Dr. Manasseh Cutler in obtaining the grant for the Ohio Company which settled Marietta, 1798, “had to let in another Company,” which the Dr. says in his private journal of the transactions was “composed of some of the best names in America.” That other Company was the Scioto; and right here in the outset of my investigations, I am stopped by a want of knowledge of this Company. Of whom this company was composed, I am ignorant, with the exception that Col. Wm. Duer was President and Andrew Craigie of Boston, who formerly owned Longfellow’s residence at Cambridge Washington’s headquarters, and Royal Flint were Company trustees. Winthrop Sargent, the first Secretary of the North Western Territory was a member, as also was Alexander Hamilton, if one can judge by his published letters. We know that Joel Barlow was

sent to Europe as agent to sell these lands ; that having met with no success in London, he proceeded to Paris, where in 1789 and '90 he sold through Wm. Playfair, brother of John the famous mathematician, and Jean Antoine Chais de Soissons, his agents, about 50,000 acres, at five shillings an acre. But of whom this Scioto Company was composed, whether they had an organization, what its proceedings and where its records, I am profoundly ignorant. Dr. Cutler says in his manuscript journal, to a copy of which I have access, this Scioto Company was "kept a profound secret." I think, cannot help but think, that the whole affair was a sort of "Credit Mobilier." Certain Congressmen had to have a share in the plunder, and when as is stated in a late communication to your Historical Society, the rise in continental certificates made the speculation a losing one, and the members of the Society saw that their agent had sold the French the land before an acre had been purchased from the United States, and that they would have the reputation of being swindlers. No one wished to have his connection with such a fraudulent Company known and all the transactions were shrouded in the blackest darkness. Our libraries here, to which I have free access, contain over 100,000 volumes, and are rich in Revolutionary matter and American History. I have diligently searched in these without gaining any ground, and now have betaken myself to writing to those whose reputation for knowledge of our history is wide spread.

I learned from a biography of Col. Wm. Duer in the Knickerbocker Magazine, that the "Duer Papers" are in the custody of the New York Historical Society, and propose going there soon, but I wished to hear from you, as I thought you might in your studies have happened on documents which would throw light on this mysterious affair of the Scioto Company.

Should you have anything, either upon this subject, or records or papers of any of the Old French Colonists of Gallipolis, and would have them copied and sent me, I would gladly pay the bill as soon as received and be under great obligations.

Hoping that you will excuse this intrusion upon your time and patience, and attribute it to a desire to be thorough and reliable.

I am, truly yours,

JOHN M. NEWTON.

FOURTH AUDITOR'S OFFICE, TREASURY DEP'T., }
WASHINGTON, D. C., Jan 5th, 1874. }

Wm. A. Whitehead, Esq.,

Corresponding Secretary,

New Jersey Historical Society,

DEAR SIR:—Permit me to call your attention to disagreements between authorities as to the dates of many events occurring in our State a couple of centuries or so ago. For instance, the date of the passage of the law creating the four counties of Bergen, Essex, Middlesex and Monmouth, is given by some authorities, as March, 1683. On the other hand Leaming and Spieer ("Grants and Concessions") in several places expressly say that the session when this law was passed, was held the year previous, that is, March, 1682. And the general reader of the early history of our State if he attempts to solve the difficulty by referring to the minutes of that General Assembly (published by authority of the Legislature, 1872), will be more perplexed than ever, as the year there is given, 1682½ which the uninitiated may imagine leaves to him to take his choice of years.

The occasion of this disagreement is found in "Grants and Concessions," page 74 in a note quite likely to escape observation by persons referring to other parts of the book for dates. It is as follows:

"It is further to be noted that the legal year in England begun the twenty-fifth of March, but the historical year begun the first of January preceding, and in Scotland they also begun the year, the first of January, which accounts for the seeming impropriety of dates of some of the foregoing and other ancient records."

By this it will be seen that the legal year, 1682, did not expire until March 24th, 1683, and all laws passed in 1683, previous to March 24th, would be dated 1682. This explains some things in the minutes of the Assembly (1682–1703), above referred to, which to the majority of readers must prove quite puzzling. For instance, one daily session is dated March 24th, 1682½; as the following day, the 25th, the first day of the legal year was Sunday, the next session was the 26th, when the year is given 1683.

When, consequently, in ancient records the year is given with the right hand figure expressed like a fraction, as in the date quoted above ($168\frac{2}{3}$); it means that the upper figure is that of the legal year and the lower, that of the historical year.

Hence the bill establishing the four counties of Bergen, Essex, Middlesex and Monmouth, became a law, as we now reckon dates, March 7th, 1683. (Jour. Pro. Gen. Assembly, 1682-1703.)

The custom of beginning the legal year on the 25th of March, was abolished by an English statute which went into effect, January 1st, 1752.

The twenty-fifth day of March is known in England as "Lady Day," from its being kept as the festival of the Annunciation; being an abbreviation of the old term "Our Lady's Day," or the "Day of our Blessed Lady."

Among farmers in some sections of our country, the day is still considered as a sort of New Year, it being the day when possession is given to farms bought or rented, and I have heard the tradition from old citizens of Burlington county that the day was set apart for this purpose by the early settlers, because it was the beginning of the English legal new year. * * *

Very respectfully, your obedient servant,

EDWIN SALTER.

Resident Members Elected.

MAY 1, 1874.

John H. Chambers, *Bloomfield*.
 J. Ogden Clark, *Montclair*.
 Theodore Coe, *Newark*.
 Henry Congar, *Newark*.
 Augustus C. Cutler, *Morristown*.
 Rev. Prentiss De Veuve, *Newark*.
 Henry W. Wilson, *Newark*.
 J. Daggett Hunt, *Summit*.
 Theodore Little, *Morristown*.
 Wm. Van Vleck Lidgerwood, *Morristown*.
 Anthony G. McComb, *Bloomfield*.
 James Neilson, *New Brunswick*.
 Lewis W. Oakley, M.D., *Elizabeth*.
 Wm. Sutphen, *Lesser Cross Roads, Somerset Co.*
 Jacob W. Crane, *Newark*.

Donations.

ANNOUNCED JANUARY 15th, 1874.

From Cortland Parker, Esq.—Brief of New Jersey to Pea Patch Island, with opinion of Garret D. Wall, June 9, 1834, and charge of Justice Baldwin of the U. S. Circuit Court relative thereto, 1836.

Address upon Abraham Lincoln, before the Lincoln Post, June 26, 1872. 1 8vo.

From the Publishers—Am. Bibliopolist Vol. V., Nos. 52 to 56, inclusive.

From the Hon. F. T. Frelinghuysen—Report of the Select Committee of the Senate on the condition of affairs in the Insurrectionary States, 1872. 12 Vols., 8vo.

Compendium of Ninth Census, 1870.

The Medical and Surgical History of the U. S. during the War of the Rebellion, 1861-5. Part 1st, 2 Vols., quarto.

Memorial Address, on Hon. John Covode, delivered in Senate and House of Representatives. 1 Vol., 8vo.

Report of Explorations and Surveys for a Ship Canal 'over the Isthmus of Tehuantepec. 1 Vol., quarto.

Message and Documents, abridged, 1872-3. 1 Vol., 8vo.

British Counter-Case at Geneva. 1 Vol., 8vo.

Proceedings of Special Session of Senate of U. S., May 14 to 26, 1873. Vol. I. 1 Vol., quarto.

Land Office Reports, 1868, Vols. 3 and 4; 1869, Vols. 1, 2 and 3.

From Thomas F. Devoe, Esq.—Catalogue of the Museum and Gallery of Art of the New York Historical Society.

Twenty First Annual Report of the New York Juvenile Asylum to the Legislature of the State, and to the Common Council of the City of New York.

First Annual Report of the Commissioners of State Parks of State of New York.

Proceedings of Joint Investigating Committee to examine accounts of City and County of New York.

Report of the Condition of the Public Markets of New York, by T. F. Devoe, 1873.

The Cultivator. Vol. 5, 1838-9. Albany.

Longworth's New York Directory, 1833.

Mannual of Corporation of City of New York, 1865.

From Mr. H. H. Wilson—In Memoriam: John White Geary. By the Surviving Staff Officers of Major Gen. Geary. 1 Vol., quarto.

From the Iowa Historical Society—The Annals of Iowa for April, 1873. Vol. XI., Nos. 2 and 3.

From J. Smith Puthey, Esq.—Historical Discourse on the 150th Anniversary of the Upper Octorara Presbyterian Church, Chester, Penna, September 14, 1870.

From the Newark Board of Trade—Holbrook's Directory of Newark, 1872.

Fifth Annual Report of the Board, 1873.

Proceedings of the Congressional Convention, held in St. Louis, May, 1873.

Sixth Annual Report of the Wilmington Board of Trade, 1873, Proceedings of the Sixth Annual Meeting of the National Board of Trade, held in Chicago, October, 1873.

From the Publishers, Chase & Towne, Philadelphia—The American Historical Record and Repertory of Notes and Queries. Edited by Benson J. Lossing, L.L.D. Vol. II, Nos. 19-24.

From Mrs. Alfred Chester, Elizabeth, through Rev. Wm. Hall—Southern Rights and Northern Duties, in the present crises—a Letter to Hon. Wm. Pennington, by Rev. Samuel J. Baird, D.D., 1861.

Report of School Superintendant of N. J., for 1849.

Sermon on the Assassination of President Lincoln, by Rev. W. H. Hornblower, Paterson.

Address on the Study of History before the Young Ladies' Seminary, Freehold, N. J., by Rev. Robert Davidson, D.D., 1843.

History of the Congregational Church, Charleston, S. C., to 1814. By David Ramsay, M.D., 1825.

Four Sermons and Address connected with the Theological Seminary of Princeton, 1828 to 1854.

Semi-Centennial Catalogue of the Theological Seminary of Princeton, 1812 to 1862.

A Plea for the Seminary, delivered before the Presbytery of New Brunswick, 1818, by Philip Lindsley.

Seven Obituary Sermons and Addresses.

Seven Thannksgiving Sermons, 1838—1866.

Two Fast Day Sermons, 1841—49.

Address before the Alumni of the Ohio University, 1850, by D. V. McLean, D.D.

Six Addresses before the Societies, &c., of Princeton College, 1831—62.

Four Addresses at La Fayette College, Easton 1841—64.

Obituary Addresses in Congress, on the death of Hon. W. R. King and President Tyler.

Two Addresses at Rutgers College, 1830—31.

Catalogues of the Theological Seminary at New Brunswick 1843 and 1857.

Trial of Rev. Alex. Cumming *vs.* Edward Arrowsmith, for slander, New York, 1810.

Minutes of Convention held on the 15th Anniversary of the formation of Morris Co., N. J., March 15, 1854.

Reports on Lunatics, by Joint Committee of the New Jersey Assembly, 1841.

Memorial to the Legislature of New Jersey, in behalf of Idiots, Epileptics, and Insane Poor, by Dorothy L. Dix, 1845.

Annual Report of Missionary Society of New Jersey, 1826.

Address before the Synod of New Jersey, by Wm. Rankin, Jr., Treasurer, in 1857.

Appeal for Female Education on Christian Principles, with Prospectus of St. Mary's Hall, Burlington, 1837.

Eighteen Sermons on various subjects by different American Divines—(Griffin, Barry, Symmes, Magie, Hornblower, Sprague, &c.)—1821—68.

From the Smithsonian Institution—Contributions to Knowledge, Vol. XVIII. 1 Vol., quarto.

Annual Report of Regents.

From J. J. Howard, L.L.D., Blackheath, Kent, Eng.—Miscellanea Genealogica et Heraldica, for April and May, 1873.

From the Church—The First Centennary of the North Church and Society, in Salem, Mass. Commemorated July 19, 1872.

From Mr. Wm. Nelson—Manual of Board of Chosen Freeholders, County of Passaic. 1 Vol., 12mo.

From Royal University of Norway, at Christiana—Recherches sur la Chronologie Egyptienne, par J. Lieblein, Christiana, 1873. 1 Vol., 8vo.

Account of the Ancient Vessel found in the Parish of Tune, Norway, Christiana, 1872, and four others.

From Mr. Wm. John Potts, Camden—Journal of Frances Anne Butler. 2 Vols., 12mo., Phila., 1835, 2 12mo.

From Samuel A. Green, M.D., Boston—American Journal of Numismatics. Vol. VI., Nos. 1-4. Vol. 7, Nos. 1 and 2. January, 1871 to October, 1872.

Sketch of the Life and some of the Works of John Singleton Copley, R. I., by Augustus Thorndike Perkins, 1873.

Description of Copley's Picture of King Charles I, demanding, in the House of Commons, the five impeached members, A.D. 1641—2, Boston, 1859.

Five Sermons by Rev. Dr. Chandler Robbins and Alexander H. Vinton, Rev. Rufus P. Ellis and Wm. P. Lunt.

City of Boston Digest of Statutes and Ordinances, relating to the Public Health, 1873.

Catalogue of the Boston Public Library, 1873. 1 Vol., 8vo.

Catalogue of Andover Theological Seminary, 1858-9.

Loss of the Sparrow Hawk in 1626—remarkable preservation and recent discovery of the wreck, Boston, 1865.

The Opium Trade as carried on in India and China, by Nathan Allen, M.D., Lowell, 1853.

Civil Record of Major Gen. Winfield S. Hancock, in Louisiana and Texas, 1871.

Means for making the Highways of the Ocean more safe, by R. B. Forbes, Boston. 1867.

Miscellaneous Reports, &c.

From Mr. Joel Munsell, Albany—Webster's Almanac, 1870-1-2-3, Albany, N. Y.

Massachusetts Civil List for the Colonial and Provincial Periods, 1630-1774, by Wm. H. Whitmore. 1 Vol., 8vo., 1870.

Memoir of John Daly Burk, author of a History of Virginia, by Charles Campbell. 1 Vol., 8vo. 1872.

Albany Penitentiary Laws. 1 Vol., 8vo., 1872.

The Stabat Mater and other hymns, translated by John D. Van Buren. 1 Vol., 12mo. 1872.

Memorial of Hon. William Kelly, by Marsena R. Patrick, 1873.

Proceedings at the Inauguration of Rev. Eliphalet Nott Potter, D.D., as President of Union College, June 26th, 1872, with the Annual Report of the President. Albany, 1872.

Reports of various Albany Institutions, 1871-2-3.

History of Trinity Church, Albany, by Rev. Edward Selkirk, 1870.

The Water Supply of the City of Albany. Report of Committee of Albany Institute.

Water Supply of Constantinople, by Henry A. Hawes, 1872.

Catalogue of Hartwick Seminary, 1872.

Catalogue of St. Stephen's College, Annandale, New York, 1872.

Minutes of 75th Anniversary of the Rensselaerville Baptist Association, 1871.

Constitution of State and Subordinate Lodges, adopted Feb. 1871.

A Paper on Botany, Charles H. Peck, 1872.

On certain New Phenomena in Chemistry, by Verplanck Colvin, 1872.

Gov. Hoffman's Veto of New York Charter, 1872.

Nitro Glycerine as used in the Construction of the Hoosac Tunnel.

Report to Albany Institute on the Progress of Zoölogy in 1870, by Geo. F. Stevens, M.D.

Chief Justice Taney, a Sketch and Criticism, by Isaac Edwards, 1873

Address before the Albany Institute, by Orlando Mead, 1871.

By-Laws of Hebron Cemetery Association, 1872.

Minutes of the 54th Annual Session of New York Eastern Christian Conference, at Otsego, June 6, 1872.

Tariff of Albany Board of Underwriters, 1873.

From the Institute—Bulletin of the Essex Institute. Vol. V., Nos. 3, 4 and 5, March, April and May, 1873.

From Miss Hull, through A. C. Cutler, Esq.—Commission from Wm. Franklin, Governor of New Jersey, to Thomas Kinny, as Cornet of a troop of horse, commanded by Samuel Tuthill, Oct. 12, 1764.

From the U. S. Patent Office—Official Gazette and Monthly Volumes of Patent Office, with General Index, from January to December. 1872.

Official Gazette. Vol. III., Nos. 18—25., Vol. IV., Nos. 1—26.

From Col. R. S. Swords—Catalogue of Columbia College, 1872—73.

President's Annual Report of Columbia College, 1873.

MS. Statement of the Passengers carried between New York and Newark on Penna. R.R. in 1872.

Constitution of the Association of the Alumni of Columbia College, with List of Members, September, 1873.

Engraved Likenesses of Alex. A. Stephens, A. T. Torbert, (Am. Consul Gen. at Havana), Rev. Henry Ward Beecher, Hon. Charles Francis Adams, and Horace Greely.

Proposed Changes in the Telegraphic System, by G. G. Hubbard.

Catalogue of the Officers and Students of the Conservatory of Music, at New Brunswick, N. J., 1872—73.

Catalogue of the Officers and Students of Yale College 1873—74.

From U. S. Bureau of Education—Report of the Commission of Education for the year 1872, 1 Vol., 8vo., and Circulars of Information, Nos. 1, 2, 3, 4.

From Rev. Samuel Hall—Journal of the General Convention of the Protestant Episcopal Church, 1871. 1 Vol., 8vo.

Journal of the 89th Convention of the Protestant Episcopal Church of New Jersey, 1872.

Acts of Third Congress 1 Session, 1793. 1 Vol., 8vo.

Notes on Virginia, by Thos. Jefferson. 1 Vol., 8vo.

From Mr. Manning Daniels—A block of "Coquena," from the Quarry on Anastasia Island, near St. Augustine, Florida.

From S. Staats Morris, Esq., History of the Revolution of Portugal, from the foundation of that Kingdom. to the year 1567, with letters of Sir Robert Southwell, during his embassy there. 1 Vol., 8vo. London, 1740.

Regulation for the order and discipline of the troops of the U. S., by Baron de Steuben. New York, 1807. 1 Vol., 12mo.

Life of George Washington, by George Covey. New York, 1807. 1 Vol., 12mo.

Travels through the United States of North America, &c., in 1795-'96 and '97, by the Duke de la Rochefoucault Liancourt. London, 1799. 1 Vol., 4to.

Trustees of the New York State Library—Meteorological Observations in the State of New York, 1850 to 1863. Second Series, by Franklin B. Hough. Albany, 1872. 1 Vol., 4to.

Annals of Public Education in the State of New York, from 1626 to 1746, by Daniel J. Pratt, A. M., Albany, 1872. 1 Vol., 8vo.

Fifty-fifth Annual Report of State Library, for 1872.

Annual Reports of the State Cabinet, 1866-7-8 and '70. 1 Vol., 8vo., and 3 pamphlets, 8vo.

Calendar of New York Colonial Manuscripts; Endorsed Land Papers, 1643 to 1803. Albany, 1864. 1 Vol. 8vo.

From Mrs. Charlotte L. Rutherford—Manuscript accounts of Major Rutherford, for transportation of eighty-one officers and men from New York to Philadelphia, June, 1755, with vouchers.

Accounts of John Rutherford with East Jersey proprietors. April 15th, 1785.

General account of Col. Peter Schuyler, as Colonel and Paymaster of New Jersey Forces, 1759 and 1760, as settled by a Committee of the Assembly.

Other minor documents.

From Isaac L. Peet, LL.D., Principal of the New York Institution for the Deaf and Dumb; and Prof. J. R. Burnet, of the same.—American Annals of the Deaf and Dumb, from Vols. IX to XVIII, inclusive.

Reports of the New York Institute, from the 49th to the 54th, inclusive.

"The Psychical Status and Responsibility of the totally uneducated Deaf and Dumb. By Isaac Lewis Peet, A. M., Principal of the New York Institute, for the instruction of the Deaf and Dumb." 1 Pamphlet, 8vo.

A Summary of the Recorded Researches and Opinions of Harvey Prindle Peet, Ph.D. LL.D. By Henry Winter Syle, A. M. New York.

Deaf and Dumb Advance; copy of a paper published at Jacksonville, Illinois. September, 1873, with a biography of J. R. Burnet.

From Harriet A. Tenny, State Librarian—The Capital of Michigan. Its advantages as a Centre of Trade, &c.

From the Wisconsin State Historical Society—Assembly and Senate Journals, Laws, local and general, Governor's Messages, with accompanying documents, from 1868 to 1873, inclusive. 32 Vols., 8vo.

Catalogue of the Library of the State Historical Society of Wisconsin. 2 Vols., 8vo.

Catalogue of the Wisconsin State Library. 1 Vol., 8vo.

Transactions of the Wisconsin State Agricultural Society, from 1870-'73. 3 Vols., 8vo.

From the Rev. C. A. Beatty, D.D., Steubenville, O., per W. Hall—Record of the Family of Charles Beatty, who emigrated from Ireland to America, in 1729. Edition of 150 copies; printed for the use of the family connection only.

From Rev. Jno. L. Watson, Orange, N. J.—Memoirs of the Martons of Salem, with a Genealogy of some of their descendants. 1873.

From the Surveyors' Association, West Jersey—Proceedings, Constitutions, By-Laws, List of Members, &c., of the Surveyors' Association of West New Jersey. 1873.

From Mrs. Jacob Vanarsdale—Manuscript sermon preached at the opening of the new meeting house, at Springfield, N. J., Nov 30th, 1791, by Rev. Jacob Vanarsdale.

From Mr. John I. Young—A broad side by Jonathan Clark of Albany, New York, laudatory of "The First Great Western Empire, or the United States of America," containing illustrative wood cuts and likenesses of Washington, Adams, Jefferson and Madison. Eighth Edition. June, 1812.

From Mrs. Charlotte Rutherford—Unexecuted Lease from Trinity Church, New York, to James Emans, September 20th, 1784, for Lot in Vesey street.

Exemplified copy of the Act for running Line between New Jersey and New York, passed by New Jersey Assembly, February 18th, 1747.

From the Rhode Island Historical Society—Twenty-Third and Twenty-Fifth Annual Reports on Public Schools of Rhode Island, 1868-'70. Acts relating to the Public Schools. Report of Committee on Fisheries of Narragansett Bay, 1870. Report of Commissioners of Internal Fisheries, 1872.

From Rev. Wm Hall—A photographed copy of a portrait of Madame Van Berckle, wife of the Hon. Peter J. Van Berckle, first Minister Plenipotentiary from the Republic of Holland to the United States of America, after the close of the Revolutionary War.

From the Board—Reports of Board of Agents of Bronson Library Fund, Waterbury, Conn. 1871-3.

From Mr. Thomas Stewardson—"Six and a quarter cents" ticket, issued by the Farmer's Bank of New Jersey. Mount Holly, June 10th, 1815.

From Mr. Henry N. Beach—A Russian Newspaper.

Manuscript minutes of Newark Foreign Mission Society, from April 6th, 1812 to April 6th, 1826.

From the Public Library, Louisville, Ky.—*Courier-Journal*, of Sept. 16th, 1873.

Anonymous—*Illustrated Prospectus of Winonah, Gloucester county, New Jersey.* 1873. (*Philadelphia Trade Journal Supplement*.)

From Samuel H. Hunt, Newton, N. J.—*Life of Commodore R. F. Stockton*, with extracts from his correspondence and speeches. 1 Vol., 8vo

From Mr. Theodore Dufford—A manuscript circular letter from the Treasury Department, dated June, 27th, 1791, and signed by Alexander Hamilton.

From Boston Public Library—*Bulletins*, Nos. 26 and 27. July and September 13th, 1873.

From the Authors—*Genealogy of the Lyman Family, in Great Britain and America*, by Lyman Colman, D.D., Professor in La Fayette College, Easton, Pa.

Memorials of 1776, by Frank M. Etting. (Second Edition.)

Report of Committee on the Restoration of Independence Hall, Philadelphia. By F. Etting. 1 Vol., 8vo.

The Swedes on the Delaware and their Intercourse with New England. By Frederick Kidder. With Heliotype Fac-similes. Boston, 1874.

On the duty of Governments in the Preservation of Forests. By Franklin B. Hough. 1873.

Newspaper slips from the Graphic, on Church Architecture, in New Jersey. By A. D. Melleck, Jr.

Address at the Tuttle Gathering, New Haven, Conn., Sept. 3d, 1873. Higher Culture. Baccalaureate Address at Wabash College, June 23d, 1872, and Physical Science and Christianity. Baccalaureate Discourse at Wabash College, June 22d, 1873. By Rev. Joseph F. Tuttle, D.D.

Historical Discourse on Boonton, New Jersey. By Isaac S. Lyon, delivered September and October, 1867. 1 Pamphlet, 8vo. 1873.

From the several Societies—*Richmond Enquirer*, December 9th, 1873, containing an account of the recovery of the Spoteswood manuscript letter-book, by the Virginia Historical Society.

Journal and letters of Col. John May, relative to two journeys to the Ohio country, in 1788-'89. Publications of the Historical and Philosophical Society of Ohio. New series. Vol. I.

Proceedings of the American Antiquarian Society, at the annual meeting held in Boston, April 30th, 1873. No. 60.

Collections of the Georgia Historical Society. Vol. III. 1873.

Proceedings, resolutions and communications, commemorative of the Hon. Edward J. Hardin, late President of the Georgia Historical Society, who died April 19th, 1873.

Proceedings of the Massachusetts Historical Society, 1871-'73. 1 Vol., 8vo.

Proceedings of the American Philosophical Society. Vol. XIII. No. 90. January to May, 1873.

New England Historic and Genealogical Register, for July and October, 1873.

Proceedings of the Rhode Island Historical Society. 1872-'73. 1 Vol., 8vo.

New York Genealogical and Biographical Society's Record, for July and October, 1873. 8vo.

NEWARK, May 20th, 1874.

The Society met in their rooms at 12 o'clock M., the Rev. RAVAUD K. RODGERS, D.D., President of the Society, in the chair; the attendance of members being large from different parts of the State.

After the reading of the minutes of the last meeting, by Mr. DAVID A. HAYES the Recording Secretary, and their approval, Mr. W. A. WHITEHEAD, the Corresponding Secretary, submitted his report. Letters were presented from a number of gentlemen accepting the membership to which they were elected at the last meeting: from Lieutenant A. D. Schenck, U. S. A., and Mr. Thomas Peterson of Philadelphia, making genealogical enquiries: from Mr. Henry A. Homes, of Albany, drawing attention to the erroneous orthography of "Kill Van Kull" in a bill before the legislature: from Hon. Marcus L. Ward, relating to the transmission of the usual Public Documents to the Society from the Department of the Interior: from Col. Emmons Clark, of the 7th Regiment, of New York, asking for information as to the character of the celebration of "Evacuation Day" (Nov. 25.) in 1784: from Benjamin B. Aycrygg, M.D., Passaic, Rev. J. C. Ager, of New York, Messrs. J. P. Crayon, of New Foundland, Henry Congar and D. C. Hickey, of Newark, H. A. Homes, of Albany, and Department of the Interior at Washinton, tendering or transmitting donations for the library: New York Historical Society and Smithsonian Institution, acknowledging the receipt of certain publications of the Society: from Mr. William Nelson, of Paterson, in reference to some items in the local history of Acquackanonk: from Nathaniel Niles, Esq., suggesting a co-operation with other kindred institutions in transmitting the Society's publications to the public libraries of Iceland, on the recurrence of the thousandth anniversary of the settlement of that Island: and from other gentlemen upon matters connected with the business operations of the Society.

The Secretary stated that in accordance with the directions of the Society he transmitted to the President of the Senate and to the Speaker of the House of Assembly, copies of the resolution adopted at the last meeting, remonstrating against the adoption of the pro-

posed amendment to the Constitution, prohibiting the allowance of any exemptions from taxation to educational, charitable and religious institutions: and that, in consequence of the general disapproval of the measure throughout the State, it had not received the sanction of the legislature.

The Treasurer, Col. ROBERT S. SWORDS, reported the balance of cash in the treasury to be \$1,358.04.

The Committee on Finance reported that no material change had occurred in the condition of the treasury since the last meeting: but it was proper to bring to the attention of the Society the fact that the Library Fund, which has existed for many years through the liberality of a few of the members, had, by the expiration of Subscriptions become nearly exhausted, and that its resuscitation seemed no longer practicable. The distinction in the funds therefore will cease, and the general fund hereafter be chargeable for all expenditures, rendering more necessary than ever that promptness and regularity should characterize the payment of the members' dues. The Committee also stated that, the repeal of that portion of the Charter of the Society which exempted it from *all* taxation had rendered it liable to an assessment upon its property in West Park street for the construction of a sewer, but that some improper proceedings in connection therewith, had led the Committee to join with other parties interested in resisting the payment of the amount so assessed, and it was probable that the Society would be relieved therefrom in whole or in part. It was to be regretted that institutions established solely for the benefit of the public at large, should not continue to enjoy the privileges which had heretofore been generally awarded to them, by being free from all taxation under proper restrictions.

The Committee on Publications reported that another number of the Proceedings was in Press and would shortly be issued, completing the third volume of the second series.

"The members are aware," said the Committee, "that the first volume of the Collections of the Society, containing 'East Jersey under the Proprietary Governments,' which was published in 1846, has long been out of print, and that the Society has not had, for several

years, any copies for distribution. A new, revised and enlarged edition is about to be published, and, as the copyright is not the property of the Society, the Committee suggest that authority should be given them to make such arrangements as may be found necessary, to secure a sufficient number of copies to meet the probable future wants of the Society in their exchanges with other Societies and Institutions."

MR. DENNIS presented the following report :

"The Committee on the Library, referring to the Report of the acting Librarian for particulars, take pleasure in drawing the attention of the members to the continued increase of the library from donations. Indicating, as it does, what might be experienced to a still greater extent were all to be watchful over its interests in the same direction, the Committee cannot do otherwise than urge upon the friends of the Society a more general coöperation in the work. Other institutions of the kind are generally the recipients of annual appropriations from State Governments, or enjoy the fruits of liberal endowments from generous individuals, living or dead ; but our own has been dependent, since its organization, upon the annual contributions or regular fees of its members ; and however gratifying it may be to record a constant, although limited, progression under all discouragements, yet it is to be hoped that the time is not far distant when the funds of the Society will warrant larger expenditures, not only for the increased accommodation of its members, but also for the acquisition of historical works only obtainable by purchase.

"The most essential feature of such a library as ours, is an energetic efficient Librarian ; one whose acquaintance with our history and desire to contribute to its more general elucidation, may lead to the devotion of his time and abilities to the institution ; and the members are urged to seek diligently for a gentleman possessing the requisite qualifications to fill the vacancy which has for some time existed, so as to relieve the Corresponding Secretary from the responsibility and labor which the supervision of the library entails upon him.

"In their last report the Committee stated that the early Provincial Legislative documents in the possession of the Society were not

complete and ventured the suggestion that it was not too late to expect the obtainment of the missing volumes through examinations of out-of-the-way depositories. The reasonableness of that suggestion has been verified by the receipt from Mrs. Charlotte L. Rutherford of many of the documents that were wanted. Mrs. Rutherford has placed the Society under additional obligations by the donation, not only of these, but of many others, given in detail in the Acting Librarian's Report, as well as of a large number of interesting and valuable manuscripts and pamphlets.

"The Committee feel called upon also to draw the attention of the Society particularly to the donation of valuable files of newspapers by Mr. Henry Congar, the accumulation by his father, our late librarian, through many years. Additional incentives have thus been given to render the newspaper department more completely available."

"As the usefulness of the Society is so intimately connected with the growth and condition of its library, the Committee trust that the members will not allow any opportunity to escape them to advance its best interests."

The Committee on Nominations submitted the names of several gentlemen nominated for membership who were duly elected, and a number of other nominations received.

COL. SWORDS adverting to the suggestions of the Committees on Finance on the Library, as to the necessity for an increase of funds, drew the attention of the Society to the small number, comparatively, of paying members, considering that it was a State Institution; and recommended some exertions to increase their number, as the readiest mode of improving the finances.

MR. WHITEHEAD presented the following Report:

"The Committee on Colonial Documents have the pleasure to report that the Legislature, at the last session, made a further appropriation of three thousand dollars to be expended under the supervision and direction of the Society, in obtaining copies of additional documents from the State Paper offices in England, and from public and private repositories in the United States.

"The Committee are disappointed in not being able to place before the Society at this meeting, the full result of their action to the pre

sent time. Their last advices from Mr. Stevens, their agent in London, was under date of 27th of March, when he expected to forward the remaining cases in a few days, various hindrances having interfered with the previous transmission.

"It is hoped that the appropriation referred to, will enable the Committee to secure all the valuable documents referring to New Jersey which are not yet copied, and that a considerable sum may be left to be expended on this side of the Atlantic, both in obtaining copies and in preparing the collection for the Press; it not being presumed that the people of the State will be satisfied to have the documents remain subject to all the contingencies that must ever endanger the preservation of manuscripts.

"It has long been a matter of doubt where the records of the West Jersey Society were deposited. As the titles to land in that portion of the State were largely derived through that Society, while at the same time it exercised an extended influence in the management of the affairs of the Province, it has been thought, and no doubt justly, that their records, could they be found, would throw much light upon its history. It gave the Committee much satisfaction, therefore, to have Mr. Stevens inform them, in his last letter, that he had received definite information, not only of the continued existence of the old Society, but also where their records were to be found. Information of which he intended shortly to avail himself."

MR. WM. NELSON presented a valuable collection of statistics of Passaic County, and also an account of the official records of Bergen County, now in the Clerk's office; together with a history of Passaic River Bridges, from the official proceedings of the Board of Chosen Freeholders of Passaic County, and other pamphlets.

From MISS S. S. STAFFORD, of Trenton, was received "Genealogies of the Preble Family," by Capt. Geo. Henry Preble, U. S. Navy.

From REV. DR. RODGERS, a Photograph of Rev. Charles Hodge, D.D.

From MR. ASHER TAYLOR, of Jersey City, a Letter of Marque from the Earl of Balcarras, Lieut.-Governor of the Island of Jamaica, Jan. 21, 1775, issued to Joseph Kearny for the ship Roman Emperor.

The following resolution offered by REV. SAMUEL M. HAMILL, D.D., was adopted :

Resolved, That the New Jersey Historical Society record with feelings of profound respect and emotion, their high appreciation of the life, character, learning, ability, and long continued and successful labors of the Rev. Thomas DeWitt, D.D., LL.D., an honorary member of this Society and late President of the New York Historical Society, who died on the 18th of May, 1874, and whose funeral takes place this day.

On motion of COL. SWORDS, it was

Resolved, That the Committee on Publications be authorized to make such arrangements as in their discretion they may deem necessary, to secure a sufficient number of the copies of the revised edition of "East Jersey under the Proprietary Governments," as the requirements of the Society may in their judgment demand.

In accordance with the suggestion in the communication of NATHANIEL NILES, Esq., it was—

Resolved, That the Library Committee be empowered to make such donations of the publications of the Society and duplicates, as in their discretion they may deem proper, to such library or libraries of the Danish Island of Iceland as they may select.

MR. C. C. HAVEN, of Trenton, offered some remarks upon the Battles of Trenton, and drew attention to peculiar features of Washington's accounts of his expenditures, which were deemed confirmatory of certain facts connected therewith.

General JAMES F. RUSLING, of Trenton, then read an interesting memoir of Captain Joseph Abbott, of 7th Regiment New Jersey Volunteers, who was killed at the battle of Bull Run, August 20th, 1862 : for which the thanks of the Society were tendered and a copy requested for the archives of the Society.

A recess was then taken to partake of a collation served in the Document room.

On reassembling, the following telegraphic dispatch, received by the Corresponding Secretary, was presented :

MORRISTOWN, N. J., May 21, 1874.

"To WILLIAM A. WHITEHEAD, Newark :

"The Washington Association hold its first regular meeting June, 24th, at the old headquarters here. Be kind enough to invite all members of the Historical Society to meet with us then. Our subscription is in excess of our original purchase, you will be glad to know, and our membership about eighty.

"THEODORE F. RANDOLPH, President."

On motion, the invitation was accepted.

A paper on the "Ravages of the British in Middlesex County during the Revolution," was then read by Mr. CHARLES D. DESHLER of New Brunswick, who also submitted for examination a transcript of the official inventories of the losses to which the inhabitants of the county were subjected, from which most of his facts had been derived, as well as a similar original record of the devastations committed in Bergen, Essex and Somerset counties.

Mr. Deshler's paper elucidated in a very skillful and happy manner the manners, customs and trials of the towns to which it referred, and was listened to with great interest.

On its conclusion, complimentary remarks were made by Messrs. Duryee, Gillet, Rusling and Buchanan, and a general wish expressed that what had been so well done for Middlesex County by Mr. Deshler, might be done in the other counties by others, and on motion of the first named, it was—

Resolved, That the thanks of the Society be tendered to Mr. Deshler for the satisfaction afforded by his highly valuable and interesting paper, and that he be requested to place a copy at the disposal of the Society for publication.

After some introductory remarks by the Rev. MARSHAL B. SMITH, of Passaic, the following preamble and resolution were offered by him and adopted :

WHEREAS, It is eminently proper that the Centennial of our National Independence should be marked by some united action on the part of Historical Societies, whose labors have been largely devoted to bringing to light and preserving the annals of the great Revolutionary struggle; therefore,

Resolved, That a Committee of Five be appointed to confer with similar Committees from other Historical Societies, and report a plan for united action on this subject at the next Annual Meeting.

The chair appointed as the committee, Messrs. M. B. Smith, Peter S. Duryee, Abraham Coles, Robert S. Swords and William A. Whitehead.

Mr. WHITEHEAD gave notice of his intention to offer at the next meeting an amendment to the 7th section of the By-Laws, so that some compensation may be connected with the office of Librarian.

The Society then adjourned, to meet at Trenton on the third Thursday of January, 1875, unless sooner called together by the Executive Committee.

Donations.

ANNOUNCED MAY 21, 1874.

From Col. Robert S. Swords—Manual of the Legislature of New York for 1851.

Manual of Common Council of New York, 1850.

The Banks of New York and the panic of 1857, by J. S. Gibbons. 1858.

Journal of Philadelphia Select Council, from January to August, 1869. 1 Vol., 8vo.

Dragoon Campaigns to the Rocky Mountains. 1 Vol., 12mo., 1836.

The Old Brewery and the Mission House of the Five Points, New York. 1 Vol., 12mo., 1854.

Reports of the Joint Commission on the Water Supply of the Cities of Newark and Jersey City, 1873.

Report to the Board of Public Works, Jersey City, on the waters of the Passaic River, by Professor Henry Wurtz and Albert R. Leeds, 1873.

Annual Reports of Children's Aid Society, New York, 1873. National Board of Trade, 1874. Board of Trade of Chicago, 1873. Baltimore Corn and Flour Exchange, 1872. Chamber of Commerce of Galveston, Texas, 1872. Board of Trade of Buffalo, 1871–1873. Board of Trade of Denver, Col. 1873. Commercial Exchange, Philadelphia, 1874. Cincinnati Second Industrial Exposition, 1871. New York Chamber of Commerce on Chicago Fire, 1872. New Jersey State Agricultural Society, 1873. Newark Board of Trade, 1874.

Catalogue of Lafayette College, 1870–1871.

Statement of Thomas Barbour, President Paterson Board of Trade, relating to appraisers, spies and informers. 1874.

New Jersey: its Cities, Towns and Railroads, by A. D. Mellick, Jr. 1873.

Memorial Discourse on President Moore of Columbian College, N. Y., by Benj. I. Haight, D.D., January 14, 1874.

From the various Societies—Proceedings of the N. E. Historical

Genealogical Society at Annual Meeting, January, 1874, and Register of the Society, January to June, 1874.

Constitution and By-Laws of the New England Society of Orange, N. J. Dec. 1873.

Annals of Iowa. Oct., 1873; Jan., 1874. From Iowa Historical Society.

Essex Institute Bulletin, Nos. 9 and 10 for 1873, and Nos. 1 and 2 for 1874, and Historical Collections, Vol. XII, No. 1.

New York Genealogical and Biographical Society Record, Jan. and April, 1874.

Twentieth Annual Report of Wisconsin Historical Society. Broadside. January, 1874.

American Philosophical Society Proceedings, Vol. XIII, No. 91, and Transactions, Vol. XV, New Series. 1 Vol., 1873.

Minnesota Historical Society, Annual Report. 1873.

Bulletin of Minnesota Academy of Natural Sciences, 1874.

Proceedings of New Hampshire Historical Society, 1872 and 1873, and semi-centennial exercises, May 22, 1873. Concord. 1874.

American Antiquarian Society. Oct., 21, 1873, and April, 1868, *From U. S. Patent Office*—Official Gazette, Vol. IV, No. 27. Vol. V., Nos. 1 to 17.

From Rev. Wm. Hall—Historical Notes on the Constitutions of Connecticut, and on the Constitutional Convention of 1810, by J. H. Trumbull. January, 1873.

From Mrs. Jacob Van Arsdale—Manuscript Sermon preached by Rev. Jacob Van Arsdale, Nov. 30, 1791, at the opening of the new meeting house at Springfield. N. J.

From Mr. John I. Young—A Broadside, printed at Albany in 1812, containing wood cuts of Washington, Adams, Jefferson and Madison, and other matter.

From Harvard College—Forty-eighth Annual Report of the President of the College. 1873.

From U. S. Treasury Department—Annual Report of the Secretary of the Treasury to the 43d Congress, 1st session. 1 Vol., 8vo.

From Hon. F. T. Frelinghuysen—Speeches in the Senate on the Currency, January 13, 1874, and Louisiana, April 14, 1874.

From Boston Public Library—Bulletin, May 28 and 29, for 1874.

From the Authors—History of Presbyterian Church, Deerfield, N. J., by Rev. R. Hamill Davis. 1873.

History of Hudson County, New Jersey, by Charles S. Winfield. 1 Vol., 8vo., 1874.

Death, and the Resurrection. A Sermon preached in Boston, March 15, 1874, commemorative of Millard Fillmore and Charles Sumner, by C. D. Bradlee.

From Mr. Robert Clarke, of Cincinnati—Seventh Reunion of the Society of the Army of the Cumberland, Sept., 1873.

From S. P. Crayon, of New Foundland, N. J.—Extracts from Wood's Newark Gazette, of Oct. 19, 1790.

From Essex Co. Road Board—Complete set of their Reports.

From D. C. Hickey—Army Regulations of the Confederate States, Richmond, Va., 1864. 1 Vol., 8vo.

From ——————Newspaper slips from the Newton Herald, Historical and Statistical.

From U. S. Department of the Interior—Public Documents of 42d Congress. 54 Vols. 8vo., 1 Vol. quarto, and 1 Pamphlet 8vo.

From Mrs. Charlotte L. Rutherford—Proceedings of New Jersey Assembly and Journal of Legislative Council for various sessions between 1784 and 1795, inclusive.

Acts of the General Assembly from 1785 to 1796.

Some Remarks on the Memorial and Remonstrance of the Corporation of Trinity Church, New York, to the Representatives of the People. Pamphlet, 12mo., 1783.

Report of Commissioners for ascertaining the most eligible route for a Canal between the Delaware and the Raritan, 1819.

Report on the Route of a Canal from the Delaware at Easton to the Passaic at Newark. 1823.

Letters and extracts relative to the New Jersey Canal. 1822.

The case of the Proprietors of East New Jersey (as to lands under water), with the opinions of Counsel. 1825.

Several Pamphlets relating to the Line between East and West Jersey.

Complaint of James Alexander and Wm. Smith to the Commit-

tee of the General Assembly of New York, relating to their being excluded from practice in the Supreme Court, for contempt in connection with the case of John Peter Zenger. Folio, 1735.

A large number of Public Documents of U. S. Congress from 1790 to 1798, in original folio form, comprising messages of the Presidents on special subjects. Reports of Departments and Committees. Bills as first printed, &c.

Miscellaneous Newspapers of New Jersey and New York, containing articles on various topics of public concernment, many of them written by Senator John Rutherford. 1815 to 1832.

File of the Morristown Palladium, from March 23, 1814, to March 22, 1815.

A number of Broad sides, among them being: Commencement Programme of Princeton College, October, 1765.

Joseph Bloomfield to the Public, Dec. 16, 1796, denying an accusation that he had spoken disrespectfully of the President.

Proclamation of Gov. Wm. Livingston on the appointment of 26 November, 1789, as a day of Thanksgiving and Prayer by the President of the United States.

Engraved representation of Brewster's Improved Machine for Spinning Wool, &c.

Two manuscript maps of the country between the Delaware and Raritan Rivers.

Maps of Projected Turnpikes between Acquackononck and Jersey City, and between Trenton and New Brunswick; of Perth Amboy and Harbor, and of New Brunswick, 1829.

Manuscript copy of Charter of Presbyterian Church in Monmouth County, Feb. 21, 1734.

Various Manuscripts, and Autograph Letters of Richard Stockton, Mahlon Dickerson, John Rutherford, James Alexander, and others.

From Mr. Charles G. Rockwood—Manual of New York Common Council for 1855.

Henry J. Raymond and the New York Press. 1 Vol., 8vo., 1870.

Discourse in the North Reformed Dutch Church, August, 1856, by Rev. Thomas DeWitt.

History and Genealogy of the Davenport Family, by A. Benedict Davenport. 1 Vol., 12mo., 1851.

From Mr. William Nelson, of Paterson—Reports of the Joint Commissioners on the Water Supply of Newark and Jersey City, by Professor Wurtz and Engineers Bailey and Culver. 1873.

From Mrs. H. A. Tenney—Proceedings of the State of Michigan Pioneer Society at the organization, Lansing, April 22, 1874. (Newspaper slips.)

From Rev. Joseph F. Tuttle, D.D.—Sermon preached at Crawfordville, Indiana, on the death of Rev. Albert Barnes, by Rev. Jas. H. Johnston.

From Col. Thomas F. Devoe, of New York—Manual of New York Common Council for 1868.

Report on Condition of New York Markets, 1873.

Maps of the City of New York, 1661, 1695, 1750, 1763, 1775, 1797, 1803, 1807, 1817, 1850, 1852, 1853, 1856, 1860: of Harlem, 1814: of the Public Squares of New York and Department Lots in 1860: of Fort Washington, Fort Green, and Brooklyn, and operations of the British army and fleet in the Hudson in 1776.

From Mr. Thomas G. Bunnell—Historical Discourse at the dedication of the Reformed Church at Bushkill, Pa., (a branch of the Reformed Dutch Church at Walpack,) January 13, 1874, by Rev. S. W. Mills.

From W. A. Whitehead—Annual Address of Henry J. Whitehouse, Bishop of Illinois, to the 36th Convention of the Protestant Episcopal Church. 1873.

Tales of the Deaf and Dumb, by John R. Burnet. Newark, 1815. 1 Vol., 12mo.

Newark Daily Advertiser for 1871, 1872, 1873.

Family Records of the First Settlers of Passaic Valley and vicinity above Chatham, by John Littell. Feltville, N. J., 1851. 1 Vol., 8vo.

From ——————Report of the Civil Service Commission to the President, April 15, 1874.

From James Lenox, Esq., New York—Fourth Annual Report of Trustees of Lenox Library, 1873.

From Rev. Samuel A. Clark, D.D., Elizabeth—Historical Address on the 150 Anniversary of Christ Church, Boston, Dec. 29, 1873, by Rev. Henry Burroughs.

From Mr. Henry Congar—Ten copies of History of First Presbyterian Church, Newark, by Rev. J. F. Stearns, D.D.

Files of the following Papers :

Newark Daily Advertiser, March, 1834, to Dec., 1873.

Newark Sentinel of Freedom, 1804 to 1833.

New York Times, 1854 to 1873.

New York Observer, 1828 to 1872.

New York American, 3 years.

New York Journal of Commerce, 3 years.

Tariff Advocate, Newark, 1844,

New York Tribune, and others.

The Publishers of the Trenton Weekly State Gazette and the Toms River New Jersey Courier, continue to send their papers regularly to the Society ; no others do.

Resident Members Elected.

MAY 21st, 1874.

S. E. Arms, *Elizabeth.*

John H. Ballantine, *Newark.*

William J. Bruce, *Dover.*

Horace N. Congar, *Newark.*

George Cumming, *Newark.*

A. Ellison, Jr., *Burlington.*

Edwin S. Ely, *Livingston.*

Florian W. Gordon, *Perth Amboy.*

William A. Halsey, *Newark.*

James E. Howell, *Newark.*

Francis W. Jackson, *East Orange.*

Finley H. Johnson, *Newark.*

Ambrose E. Kitchell, *Madison.*

James Parker, *Plainfield.*

Rufus W. Weeks, *Summit.*

Honorary Member.

Harvey E. Brown, *U. S. Army.*

Selections from Correspondence and Papers.

SUBMITTED MAY 21st, 1874.

OFFICIAL RECORDS OF BERGEN COUNTY, IN THE CLERK'S OFFICE.

*Examined and Catalogued March—May, 1874, by William Nelson. **

I. DEEDS.

1. Deeds—Books A to Z 8, from 1687 (an Indian deed) to date, an uninterrupted record; 178 volumes, folio; Book A is bound in parchment and the edges of the leaves are quite ragged, and some of the leaves are torn. The other volumes are in good condition.
2. General Index to Deeds, 21 volumes, new, A to Z, folio; alphabetical index to grantors and grantees, date of conveyance, and reference to book containing the deed. Just completed, at a cost of \$4,700.

II. MORTGAGES.

1. Mortgages—Books A to I 2, 34 folio volumes; Book A is about 12 inches high; Book B about 20 inches high; Books C to M about two feet; the others about 15 inches. The first entry in

* On the publication, in 1858, of the "Analytical Index to the Colonial Documents of New Jersey," as Volume V of the Society's "Collections," the editor sought, by circulars to all the County and township Clerks in the State, to secure such information in relation to their respective records as would add to the completeness of the volume by facilitating research after local documents, but with the exception of two counties no available information could be obtained. It is hoped that Mr. Nelson's example may be followed in other parts of the State.

- Book A is a mortgage dated May 24, 1757; the second is dated December 27, 1752. The record is uninterrupted thence to date.
2. Assignments of Mortgages A to H, 8 volumes, folio, beginning 1856, and continued to date.
 3. Satisfaction of Mortgages, No. 1, beginning 1869. One volume.
 4. Record of foreclosures, Bergen County Circuit Court. One volume, new, no entries to date.

III. COURT RECORDS.

1. Common Pleas and Quarter Sessions:

The records of both Courts are kept in volumes, generally, until a comparatively recent date. Two or three of the older volumes are bound in parchment, and all are in good condition, and well written. The older books (say till within 20 or 30 years) are neither lettered nor numbered, but merely have the name rudely inscribed with pen and ink. They are lettered in this catalogue for convenience' sake. The period over which the records of each volume extend are as follows:

A—June 8, 1756, to June term, 1772.

B—Oct. 27, 1772, to June term, 1776.

(The first leaf seems to be torn out, but perhaps it was re-written as the next page seems to begin the record for the term. The record from part of the March term, 1773, to and including the June term, 1776, was copied from the rough minutes, according to a certificate by Clerk Westervelt, dated Nov. 29, 1787.

C—June 8, 1779, to March 29, 1781.

(This record is in a small volume, 4 x 6 inches, containing 302 pages. The court was held at Pompton most of this time.)

D—June 12, 1781, to Jan. 27, 1774.

(This record is contained in a similar volume, 4x6, it being "Book C of Roads," the court records and town elections being sandwiched in among road surveys.)

E—2d Tuesday in June, 1787, to April 5, 1790.

F—March 23, 1790, to March term, 1794.

G—June 10, 1794, to January 22, 1799.

H—March 26, 1799, to July 29, 1805.

I—October 22, 1805, to October term, 1808.

K—January 24, 1809, to March 5, 1814.

L—March 22, 1814, to January 5, 1818.

M—January 27, 1818, to December 8, 1821.

N—January 22, 1822, to Thursday, Dec. 13, 1827.

O—January 22, 1828, to July 30, 1833.

P—January 22, 1828, to May 23, 1851.

(Almost exclusively Quarter Sessions' records. The next two are mainly Common Pleas' minutes.)

Q—October 22, 1833, to November 7, 1839.

R—January 28, 1840, to September 5, 1854.

Thence on to date these records are complete.

2. Circuit Court.

Complete to date.

IV. ROAD SURVEYS.

Book A—fifteen sheets of foolscap stitched together through the middle, with a cover of stiff brown paper. The foolscap has been wrongly folded, in part, so that the earliest entries are several pages from the beginning. Two or three leaves are badly mutilated. The book contains about 60 pages. The first entry is dated March 27 1716; but on p 5 is an entry dated December 5, 1709, relative to a driftway near Arent Schuyler's, at "Pomton." There are several road surveys from 1717 to 1731. The last entry is in 1761.

Book B—is precisely similar to Book A, but is in good condition, except that the first leaf is mutilated. The first entry is dated October 7, 1762. It extends to 1775.

Book C—a small, thick volume, 4 x 6 inches; 60 pp. of road surveys; 8 pp. of court proceedings, relative to applications for pensions to Captain Cornelius Hennion and to Captain Hendrykus Kuyper; Hennion allowed half-pay during his disability; Kuyper half-pay during life. There follow 24 pp. of road surveys. Then 140 pp of township officers elected from May, 1777, to 1783, and in the year 1790, the latter all entered in one hand, fine, bold penmanship. The record of road surveys extends to 1790.

Book D—folio, old calf. April 23, 1790, to June 26, 1812.

Book E—folio, old calf. June 26, 1812, to July 10, 1839.

Book F—folio. July 29, 1839, to March 6, 1856.

Book G—folio. June 11, 1856, to April 24, 1860. 123 pp. only written; about 300 pp. blank.

Books H and I—thick folios, continue the records to date.

V. ANCIENT FIELD BOOK.

A ponderous folio, about 20 x 12 inches, and three inches thick. The binding is quite delapidated, the back being torn off; a few of the opening pages are also delapidated, but with these exceptions the volume is in good condition. This is the Field Book of Bergen township, made 1764, and recently published with notes, etc., by Mr. C. H. Winfield, of Hudson county.

VI. MARRIAGE RECORDS.

1. "Records of Marriages, Liber A." The record is quite full, from Nov. 28, 1795, to 1866.
2. "Record of Marriages, Bergen county," thick folio, 1863 to 1873, 144 pp., not fully written up.

VII. RELATIVE TO SLAVERY.

1. "Black Births, 1804," folio, old calf, with full alphabetical index. July 28, 1804, to March 14, 1843, 161 pp.
2. "Liber A of Manumition of Slavery." From June 17, 1805, to July 26 1841, 248 pp. closely written; probably one and a half manumissions, on an average, to a page, or nearly or quite 400 in all.

VIII. EXECUTIONS.

1. "Executions D"—a quarto, 10 x 12 inches, from fourth Tuesday in March, 1792, to October, 31, 1800; about 100 pp.
2. Executions—Court of Common Pleas; folio; from fourth Tuesday in March, 1801, to second Tuesday in June, 1818.
3. and 4. Executions Libers A, 1839–1861; Liber G, 1837–1874.

IX. JUDGMENTS.

1. Liber A—Common Pleas, folio; beginning Aug. 12, 1799, to —
2. Liber B—June term, 1806, to —
3. Liber C—October term, 1808, to —

4. Liber D—June term, 1815, to —
 5. Liber E—October term, 1819, to —
 6. Liber G—June term, 1830, to —
 7. Liber H—
 8. Liber J—
- } to date.
9. Judgment's Circuit Court, A—June term, 1838.
 10. " " " B—January, 1843-'58.
 11. Docketed Judgments Circuit Court, beginning 1847; one volume, folio, only 11 pp. filled to date.
 12. Docketed Judgments Common Pleas, beginning February, 1865; one volume, 66 pp. filled to date.
- No.'s 9 and 10 are very large folios.

X. COUNTY BOARD.

1. "B C Liber A" (Bergen County, Book A). Folio, parchment cover, the cover much torn, but the contents in first-rate condition; the penmanship for the first half of the book is really beautiful, and all of it is perfectly legible. This is the "Book for the Justices and Freeholders of the County of Bergen, Anno. 1757." At that date the Clerk, Guillian Bertholf, was ordered "to copy the proceedings of the Justices and Freeholders from Word to Word from the ould Books and place them in the new. Also, to buy a blank Book and copy thereinto the Ear Marks and Brands that is left in the ould Book." The record of the Justices and Freeholders begins May 19, 1715, the first page containing a detailed exhibit of the expenditures on the Court House and Goal, £92 10s. The record of the proceedings at the Board begins March 11, 1716. The Board seems to have generally met but once a year, and for many years it merely levied a tax of £10 to £20 for "wolves, foxes, red foxes and panthers," and occasionally a tax of £50 for repairs of Court House and "Goal." Full reports are given of the trials (with testimony of witnesses), of several negroes for murder, arson, etc., and of their execution.

1731.—A negro slave called Harry, ravished Annatye Pryers, but, apparently without exercising much force; sentenced to receive 41 lashes and to be branded on the right shoulder with the letter "B."

Negro man "Harry," of Garret Hoppe, threatened the life of his master, also poisoned "Sepeo" (Scipio), negro man of Col. William Provoost, giving him a poisoned "dram," on Thursday night, November 25, whereupon Scipio died the following night. December 13, 1721, Harry was tried by five freeholders, convicted, and sentenced to be hanged the next day, at 11 A. M. He was so hanged, April 26, 1732. He was "valued" at £30, and that sum, and £15 10s, the expenses for hanging him, were ordered paid.

August 15, 1735—Five freeholders tried the negro man "Jack," of Peter Kip. Jack beat his master; had threatened several times to murder his master and his son, and to burn down his master's house, and when arrested tried to destroy himself, Aug. 13. He was convicted of these heinous crimes and was *burnt* the *next* day, August 16, at 10 A. M., on the road between the Court House and Hackensack.

May 1, 1741—Albert Van VoorHezen's negro man "Jack," and Derreck Van Horn's negro man "Ben," were arrested on suspicion of having set on fire several barns in the precinct of Hackensack; tried May 4, by five freeholders; convicted and *burnt* May 5, between 10 and 12 o'clock, at "Yellow point, the other side of Hackensack River," near the house of Derrick Van Horn."

May 10, 1744—The negro man "Jan," of Johonnes Van Houten, was tried "for poysoning and attempting to do the same to several blacks at the township of Bergen; to wit, the negro man of Arent Toers, named Lowis, and has some time past poysoned two wenches of Garret Ross, of the same precinct, and attempted several more." Convicted and sentenced to be hanged May 11, between 10 and 12, at Bergen; "at the suitablest place, where Peter Marselis and Michel Vreeland shall think proper."

May 22, 1744—"Tom," the negro man of Eden (Edo) Sipp, "having poisoned several blacks and attempted to do to others likewise, in the township of Bergen," was tried, convicted and sentenced to be "hanged at Bergen on Friday, the 25th inst. between 10 and 12, at the same place and gallows where the other negro Jan, of Johonnes Van Houten, was hung."

May 11, 1757—"Sufficient stocks" were ordered set up in the

precinct of Bergen, in the precinct of Hackensack and in the precinct of Saddle River, and that "the stocks now standing in the precinct of New Barbadoes shall be repaired and put in good order."

May 13, 1761—£400 ordered to be levied and raised for bridge purposes, being the first tax ordered for that purpose. This is the first reference to bridges in the book.

May 12, 1763—Stocks ordered to be made "to stand in the convenientest place near the Paramus Church."

June 4, 1774—The members of the Board appear to have been noisy, for "Barent Cole, Esq., appointed by this Board to Silence this Board, and Be Moderator, or Until Next Meeting; the fine Is three Shillings of Every one Belonging to this Board Not Obeying his Reasonable Orders."

Jan. 8, 1768—William Earle ordered paid £3, "His fees for the execution of the negro fellow named Harry, lately belonging to Hendrick Christ'n Zabriskie, and to him to pay the blacksmith's bill and the wood and victualling said negro, and prison fees.' Harry was executed for "the wilful murder of Nicholas Jores' (Toers?). [See Romeyn's Hackensack, pp. 22-3.]

November 20, 1770—"Ordered that the Sheriff shall receive £13 5s 1d for his fees, constables, King's attorneys, Clk to the Court, etc., for whipping and pillorying of Jonathan Carter now prisoner in the County Goal for horse stealing."

1771—Six iron candlesticks with brass "Nobbs," also two tin hanging candlesticks and one glass lantern ordered for the next Court; said articles to be owned and kept by the county. The Sheriff to supply the above sticks with good "mole candles."

The above are some of the more interesting notes in this valuable book. The record comes down to 1790.

2. Liber B—begins 1790 and comes down to 1820.
3. Liber C—brings the record of the County Board down to date.

XI. MISCELLANEOUS.

1. *Record of Forfeited Estates during the Revolution, with Maps.*
2. Sheriff's Bonds—"Liber A," 1807-'71.
3. "Writs Returnable"—Jan. 1, 1765—June 16, 1774. Gives date

when sealed, parties, character of suit, amount involved and attorney.

4. Notices of Lis. Pendens. Rec'd: June 8, 1839.
5. Temporary Index. (Transcribed.)
6. Mechanics' Liens, Liber A—1862 (136 pp. to date).
7. Transcripts from Justices' Docket. 1873 (3 pp. to date).
8. Attachments—July 27, 1847—1874.

Besides the foregoing there are all the usual papers to be found in a County Clerk's office.

In an inner, fire-proof vault, always locked, are carefully filed the maps, some of them dating back to the Revolution, many of them to 1790—1800.

In this vault, also are many MSS. which I have not had opportunity to examine.

All the records of the office are kept in admirable order, readily accessible, thoroughly indexed and systematically arranged.

The Surrogate's records I have not examined, but know them to be complete from the beginning, and kept in perfect order.

Paterson, N. J., May 19, 1874.

LETTERS FROM

RICHARD STOCKTON TO JOHN RUTHERFURD,

SENATORS FROM NEW JERSEY, IN 1798.

Received from Mrs. Charlotte L. Rutherford.

PHI^A 30th Jany 1798

DEAR SIR,

An absence of more than two weeks prevented my receiving your favor of the 30th ul^o till my return which was on Thursday last. I was under such engagements before the Court of Errors & Appeals as made my attendance at Trenton indispensable, and had the mortification of being detained there for two weeks when I had expected to get a way almost in as many days—It afforded me

much satisfaction to receive a letter from your own hand for by this I am assured that your disorder is abating; and that we may expect you here as soon as the weather moderates—I am sorry to find that the idea of *Resignation* has ever even occurred to you—and I entreat you to banish it from your mind—There is no question that can come before us in which great principles are involved, on which we have not a very imposing majority of the right side—and I think that since the accession of Messrs Loyd (1) and Hobart (2) that we shall have two thirds on all questions which require that number to be adopted—There are however other reasons which ought to be conclusive—It is very doubtful who would be appointed in your place—and even whether he would be of the right sort—The present Legislature are very much managed by Kitchel (3) and Condict (4)—and it is likely I think that one of them would be the man—your services have been so constant and important from your first appointment that you are not in my opinion called upon to give up your place because sickness has prevented an attendance as early and punctual as usual—and even if you should be absent the whole session you ought to be well satisfied that a vote is of the utmost importance, and that your place will be supplied by a man of known and decided principles before you took such a step—This is the decided opinion of your friends here, and it is also the opinion of all those Gentlemen in New Jersey with whom I have spoken on the subject—This day we expect to receive from the house of representatives the articles of impeachment agt Blount (5)—The democrats in that house as the papers have shown you have been very

1 James Lloyd, of Maryland, who took his seat January 11th.

2 John Sloss Hobart, who took his seat on February 2d.

3 Abraham Kitchell, of Morris County.

4 John Condict, of Essex County.

5 William Blount, Senator from Tennessee, who, in the early part of 1797, had engaged in measures, looking to the setting on foot of an expedition, in the interest of Great Britain, for the purpose of wresting Florida and Louisiana from Spain. He was expelled from the Senate on the 9th July, 1797, by a vote of 21 to 1. The articles of Impeachment referred to by Mr. Stockton were not received until the 7th February, and after some preliminaries the trial was postponed until the following session. It commenced on the 19th December, 1798, and continued to occupy more or less of the time of the Senate until January 14th, 1799, when the impeachment was dismissed on the plea of a want of jurisdiction.

pressing upon this subject—It is supposed that this line of conduct is pursued by them, both to wipe off the common disgrace which has fallen on the whole party by the crime of their Brother, and also to give them an opportunity of attacking the British Minister whom they expect to hold up to the public as being the promoter if not the contriver of the plan—They are to-day to ballot for managers—and have determined that there shall be *eleven*—If all these learned Gen^l are to be heard before the Senate we shall have a troublesome job before us—I presume that the Senate will issue process to bring Blount in upon the articles being filed—It is more than probable that he will not be taken in which case a question presents itself—whether he can be tried in his absence? I find a diversity of opinion both in and out of our doors on this point—We have as yet had no official accounts from France nor of a very recent date from any part of Europe—Mr. Murrays(6) dispatches are to the first of Nov^r and contain information that our Ministers had not been and probably would not be received—There are no late accounts of any importance from Mr. King (7)—I think it likely that the French will not declare war—but continue the System of plunder they have so long pursued and leave us to resent it as we see fit—The arming of Merchant-men is the only counter plan which we can adopt—and if this had been done last Summer we should saved more property than would have defrayed all additional expense—Since my return I have been confined almost to my room by a bad cold—I have not yet procured the papers you request but shall not fail to comply with your wishes—I sympathize with you in the distress which the death of Gen^l Morris (8) must occasion in your family and am very sincerely

Your friend

The Honb^{le}

R^d STOCKTON.

JOHN RUTHERFURD.

(Addressed)

Free R^d Stockton,

The Honb^{le} JOHN RUTHERFURD,

Tranquillity,

Via. Newark

Sussex County,

To Sussex Court House.

New Jersey.

6 William Vans Murray, of Maryland, Minister Resident at the Netherlands.

7 Rufus King, of New York, Minister Plenipotentiary to Great Britain.

8 General Lewis Morris, of Morrisanna, N. Y., brother of Mrs. Rutherford.

PHI^A Feby 20th 1798

MY DEAR SIR,

I must beg you to pardon me for having omitted till now to comply with my promise of transmitting to you the most important papers which have been laid on your desk during the present session—The little business of importance which has come before the Senate and the situation of my affairs in Jersey have induced me at least as often as every other Friday to get into the mail stage and go home—I have never been able to get back before Tuesday—and last week was by a very severe cold whichh as now afflicted me a month detained till Thursday—I now however send in three separate packets put up as the Law directs the only things which I deem worth troubling you with—the papers which you doubtless receive will inform you of the principal matters of this session and if there be any others you wish to have I shall have great pleasure in forwarding them to you—I remain in common with your other friends under great anxiety for the restoration of your health—and your appearance in the Senate—This last circumstance tho' very desirable we all consider as altogether unimportant compared with the first—and it is the united opinion of us all that you must give over every idea of resignation during the present session and take the chance of the warm season to restore to you the advantage of health and to your Country a renewal of your important services—Our State is in a very Critical situation now—Condict and Kitchell rule—They will district the State—They will raise the Jurisdiction of Justices to 60 or 100 dols—and they would procure either one or the other (themselves) to be appointed a Senator—you are now the only member absent—Hunter (9) has come over to our side—Tatnall(10) votes with us more than half the time—We leave Tazewell (11) in a minority of from eight to three upon questions in which he exerts himself to the full ertent of his powers—and I have no doubt that upon every question requiring two thirds we shall have them and to spare—Nothing then but certain

9 John Hunter, of South Carolina.

10 Josiah Tatnall, of Georgia.

11 Henry Tazewell, of Virginia.

public evil could result from the step—you will my friend excuse my urgency on the subject—I have it much at heart and hope you will in the end join in sentiment with me (12)—The Senate have had their time taken up for a long time on Blounts impeachment—Marshall (13) has got into his head that *the Senate* had no right to take any step to effectuate their Judiciary power in this case without a Law—He therefore early in the Session got leave to bring in a bill to regulate the proceedings in case of impeachments—by plodding over it for a long time he had acquired all the affection of a parent for it—when he brought it in it was committed—The Committee left nothing of *his* bill but *the Title*—and when the amended bill was taken up every section which has yet been passed upon (for it is yet before the Senate) has been negatived—This has made him very restive—a decided majority of the Senate are of opinion that the general power given by the Constitution *exclusively* to the Senate includes in it all incidental powers necessary to effectuate the great purpose intended and that it is improper to call on the other branches of the Legislature to assist on a point in which they have no constitutional participation—and to make regulations to which every Court is competent—The whole bill will therefore be rejected—Tazewell on Friday made a motion which has long threatened that the impeachment should be tried by Jury—he founded his opinion on the 8th article of amendment to the Constitution—a lengthy debate was the consequence and in the sequel he was left in a minority of *three*—Bache (14) who has been ousted from his place of taking notes below has made his appearance in the Senate—He has this morning given Tazewells speech—he does him full justice in all his reports and mutilates the answers. I shall send you the papers containing the whole of this debate next week—The time for closing the mail has come—I can only add that you will do me and all your friends a great favor by letting us hear from you often and that I am very sincerely

Your affectionate friend

The Hon^{ble}
JOHN RUTHERFURD.

R^d STOCKTON.

12 Mr. Rutherford resigned before the next session, and Franklin Davenport, under an appointment from the Governor of New Jersey, took his seat as Senator December 9th, 1798.

13 Humphry Marshall, of Kentucky.

14 Bache, of Philadelphia.

PHI^A 28th March 1798

11 o'Clk at night—

DEAR SIR,

Your last letter which gave me much pleasure did not come to my hands till last night—I propose getting off for Jersey in the stage to morrow morning being under engagements which cannot be dispensed with to attend the Sup Court next week—I have been the whole of this day so occupied by the business of the Senate and in the errands I had to attend to previously to my leaving town that I have not found a moment till now to write a line—I can now only express to you my entire concurrence in the political sentiments contained in your letter—I inclose to you for your amusement Harpers (15) last speech on the Intercourse bill—The performance has undergone a *revision* as you will see since it was delivered—but was nearly the same as it now purports to be—The papers will shew you that our majority in Senate is more imposing than ever—difficult times have produced so complete a union as to even lessen the Minority—A bill for increasing the naval armament by 12 additional vessels not exceeding 22 guns each had a second reading to day & will pass the Senate to morrow—We indulge the hope here that the warm weather will tempt you to come to this place before the rising of Congress—The medical aid you would have here and the company of your friends might tend to restore your health—Good night to you!—believe me with much truth

Your affectionate fr^d

RD STOCKTON

A Committee consisting of Lloyd Tazewell—Sedgwick (16) Goodhue (17) and myself reported this day agt the grant of 200,000 dols for the City of Washington—we stood three to 2 in the order as above—the report will it is thought be adopted by a considerable majority.

15 Robert Goodloe Harper, Representative from South Carolina.

16 Theodore Sedgwick, of Massachusetts.

17 Benjamin Goodhue, of Massachusetts.

PHI^A April 10th 1798

DEAR SIR,

I returned to this place on Sunday last—Whilst I was absent the house of representatives had called for and received the instructions to the despatches from our Commissioners at Paris (18). The effect the reading of these papers had on the house was almost electrical—The opposition party could scarcely stand the disclosure—and were obliged one and all to join their adversaries in reprobating the late objects of their servile adulation—Nicholas (19) declared that the President had in his instructions done all that he ought to have done to obtain peace & that if he had gone farther he would have sacrificed the interest of the Country—Tom Claiborne (20) declared that he was for printing the papers that his Constituents who had like him been deceived might see the President in the light he ought to be regarded by every American—Nevertheless there was a violent reluctance on their part to the publication—The very men who have constantly been bellowing for information—and who have without authority or regard to decency published to the world confidential communications—talked of the impropriety of interfering with the executive branch—that this ought to be left with the President—that it would disclose our ultimatum &c. Some of our friends in that house also on the *abstract* point of propriety joined them and there appeared a majority agt the publication—when their dilemma was dissolved by an account that the Senate had ordered 500 copies to be printed. This first order included *only the despatches*—yesterday after a considerable debate we also ordered the instructions to be printed—Some of our friends and all the other party opposed the proposition—It was however carried by a large majority—The abstract question was agt us but in my opinion we have arrived at a point where theories must bend to public utility—There is but one thing left for us to rely on—It is the display of the American character—It is the support of the Gov^t by the great body of the people. To expect this agt France without first working a con-

18 Charles Cotesworth Pinkney, Elbridge Gerry and John Marshall.

19 John Nicholas, Representative from Virginia.

20 Thomas Claiborne, of Virginia.

version in their minds as to the conduct of the Administration is in vain—The people of America must be informed before they can be united—The seeds of disaffection have been scattered far and wide—the idea that the President and his friends were really for war has gained ground—The French you will see plainly tell our commissioners that they will throw the blame of a rupture on the federal party—When the people read these instructions they will judge to whom the rupture is imputable. It is time that our Constituents should judge between this Gov^t and its Calumniators—Divided as we have been we must elect between war and submission—United I believe that war may yet be avoided—at any rate it can be sustained with perhaps no more inconvenience than we have already experienced—The other party in the house have formally told the leaders on the federal side that they will join them in every measure necessary to put the Country in a complete state of defence—I however somewhat suspect the sincerity of their declaration—They want time to recover the stroke—and then will differ as to the means of *defence*—The only way to keep them to it is to raise the spirit of the Country—I enclose to you Claypole's paper which contains the despatches complete—whenever the instructions are printed I shall send you a copy—They are exceedingly well drawn—Their contents appear in part by the despatches—As to compensation for capture they were instructed to urge the propriety of the claim with all the industry in their power and not to sign a treaty renouncing the right to future compensation—but not to make it a *sine qua non* on the present occasion. We passed a bill yesterday for an additional naval armament to consist of 16 vessels not exceeding 22 guns each, to be built purchased or hired in the discretion of the President—to be employed as he thinks fit for convoys or defence—The Merchants are arming their vessels in consequence of the President taking off the restriction. The other party now talk of bringing in a *regulating bill* in the nature of the one rejected last session—What effect has the spring weather on you? May we not expect to see you here soon? I am very anxious that we should have the assistance which your correct judgment and experience would afford at this important Crisis—My best compliments to Mrs. R: believe me very affectionately

Your friend

R^D STOCKTON.

PHI^A 23d April 1798

DEAR SIR,

I have been anxiously expecting to receive a line from you since my last which covered a paper containing the despatches from our Ministers at Paris—I hope a return of your disorder has not again deprived you of the power of gratifying your friend by the use of your pen—I should have sent to you a copy of the instructions last Tuesday but finding that they were immediately published entire in all the public papers I presumed they had found their way to you long before my letter would have reached you—The impression made by the disclosure of these papers on both sides of the house below has been very conspicuous—It has united the friends of the Gov^t and disunited its opposers—This party were at first entirely dismayed—so much so that sanguine hopes were entertained by some of our Friends founded on hints which the leaders occasionally dropped that the party would become extinct and that those who composed it would save themselves by concurring without contest in all the defensive and preparatory steps those in the confidence of the Executive should propose—They judged not according to the human heart—Gallatin (21) and Nicholas finding that a desperate attempt must be made to rally their party came forward on the bill sent from the Senate providing an additional naval armament—after effecting a reduction of the number from 16 to 12 Gallatin moved an amendment restraining their being used as *Convoys in time of Peace*—He made a speech in support of it which called forth the indignation of the majority who attacked him warmly and personally—his friends defended him—but on the division the amendment was lost by a great majority—S. Smith and Parker (22) and about ten more—sometimes one set and sometimes another have them on every point of importance—in fine I believe they now despair of any effectual opposition and will give little more trouble—Nicholas (despairing of the Republic I presume) leaves town to-day for the rest of the session—Giles (23) has been off for some days—In the Senate

21. Albert Gallatin, Representative from Pennsylvania.

22. Samuel Smith and Josiah Parker, Representatives from Virginia.

23. William B. Giles, Representative from Virginia.

we remain much as usual—some of the weaker brethren join us occasionally—we generally have one vote either from N C or Tennessee. Mason(24) who had leave of absence in Feb^y for the session has returned and he and his few friends vote uniformly in the negative—This day we shall send to the house a bill for raising a provisional army of 20,000 whom we shall deem the public safety requires it to serve for three years and to appoint a Commander in Chief &c it is supposed that the bill will pass the house—I am very glad to find that the people of New Jersey are stirring at their Town meetings—This day I presented to the Senate an address from our neighbourhood including the two adjoining townships of Somerset and Midx—you will see it in the papers of to day.(25) I hope this measure will pervade the Con^t—it is the only thing which can keep our anti's in order—They have not independence eno^u to resist the public sentiment even in favor of their friends—Do let me hear from you soon—With my best respects to Mrs R believe me very affectionately

Yours

The Hon^{ble}

R^d STOCKTON

JOHN RUTHERFURD.

24 Stephen Thompson Mason, Senator from Virginia.

25 Memorial signed April 23d, Enos Kelsey, Chairman, expressing the unshaken and the entire confidence of the citizens of the townships of Windsor and Montgomery and the towns of Princeton and Kingston, “in the wisdom and integrity of the Executive of the United States, and pledging their lives and fortunes and sacred honor in support of the Constitution and such measures of defence as the Government may find expedient to adopt in this critical and threatening aspect of public affairs.” On the 30 April similar memorials were presented by Mr. Stockton from the citizens of Newark and of Monmouth County.

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PROCEEDINGS
OF THE
NEW JERSEY
HISTORICAL SOCIETY.

SECOND SERIES.

VOL. IV.

1875---1877.

NEWARK, N. J.:
PRINTED AT THE DAILY ADVERTISER OFFICE,
1877.

ERRATA.

Page 8, line 32, after the word "Library," insert *which was adopted.*

" 49 and 50 are duplicated.

" 64, line 24, for "John Horn," read *John Hone.*

" 141, line 5, for "H. M. Mollison," read *W. H. Mollison.*

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PROCEEDINGS

OF THE

New Jersey Historical Society.

SECOND SERIES.

VOL. IV.

1875.

No. 1.

TRENTON, January 21st, 1875.

The Society met in accordance with the By-Laws at 12 M., in the rooms of the Trenton Board of Trade.

In the absence of the President, the Rev. SAMUEL HAMILL, D.D., one of the Vice-Presidents, took the chair.

THE RECORDING SECRETARY having read the minutes of the last meeting, they were on motion approved.

THE CORRESPONDING SECRETARY submitted the correspondence since May, and laid before the Society communications from the Iowa Historical Society and Numismatic and Antiquarian Society of Philadelphia, acknowledging the receipt of the Society's publications:—from the United States Commissioner of Education; Smithsonian Institution; Rev. Joseph F. Tuttle, of Indiana; Joseph W. Hough of Trenton; D. C. Hickey, M.D., of Newark; Mr. Charles H. Hart of Philadelphia; and Mr. Guy Latourette of Bergen Point, accompanying donations for the library; from Dr. H. W. Elmer of Bridgeton, referring to a loan of the sword of Gen. Giles, for the Centennial Celebration at that place in commemoration of the burning of the Tea at Greenwich in 1774; from Mr. Ralph Voorhees, giving some information relating to the Conover family on the Raritan; from Mr. Charles Henry Hart of the Numismatic and Antiquarian Society of Philadelphia, referring to the Field family of New Jersey; from James Ross Snowden, Esq., of Philadelphia, asking

for the loan of the MSS. memoir of Dr. Witherspoon, for the use of the committee appointed by the General Assembly of the Presbyterian Church to erect, in connection with the Centennial celebration, a statue of heroic size of that distinguished representative of New Jersey in the Congress of 1776; from Mr. Samuel D. Thurston of Camden, Ohio, enquiring after the family of that name in New Jersey; from Rev. Ravaud K. Rodgers, D.D., the President of the Society, declining a reelection, having removed to Athens, Georgia; from Mr. William Nelson of Paterson, suggesting some measures for the collection of State Statistics; and from Mr. James Lawrence of Bloomington, Illinois, a descendant of Mrs. Governor Carteret, inquiring for information respecting her.

THE TREASURER being absent, his accounts were presented by the Secretary, showing a balance in the treasury on the 31st December of \$1,177.33, and investments amounting to \$12,135.84.*

THE EXECUTIVE COMMITTEE, after referring for details to the reports of the officers and Standing Committees, stated that they took great satisfaction in directing attention to the annually increasing evidences of the usefulness of the Society, and to the assurance thus afforded that the institution had reached a position that secured its perpetuity and should give it a strong hold on the confidence and affection of every Jerseyman who loves his State and is proud of her historic renown.

The interest now taken in the history of the State, compared with the little manifested before the formation of the Society, is, in a great measure, due to the impressions made on the intelligent population of the commonwealth of the value of its publications, and the inducements and facilities for historic research offered by its constantly increasing library. When it is considered how few had been the publications illustrating the history of the State, general or local, previous to the year 1845; the efforts, which these facilities had encouraged, to recover what had been lost and to throw light on what was obscure, and the service which the "Collections" and

*See page 11.

"Proceedings" of the Society had rendered in these directions, could not fail to be appreciated. The items of local history which now find their way so frequently into the columns of our newspapers, and which, the Committee were pleased to know, are more generally transmitted to the Society for preservation in the library, indicated this increased interest and were becoming yearly of greater value, by adding to the resources for that authoritative general history of the State which has yet to be written, and whose claims to public confidence must measurably depend upon the acquaintance with, and the use made of, the local annals of our various communities.

The Society had had cause since its last meeting to lament the loss of one of its most active members, in the death in the month of September last, of Mr. Charles C. Haven of Trenton, at the advanced age of 84 years. "Mr. Haven," said the Committee, "has been for several years a member of the Executive Committee, and notwithstanding his bodily infirmities and impaired eyesight, was a regular attendant upon the meetings of the Society and participated in its proceedings up to the last meeting; and it will be remembered that he then drew the attention of the members to some facts bearing upon controverted points of local history, in which he took special interest. In Mr. Haven the Society has lost an earnest and valued member.

"The departure from time to time of those who either organized the Society or were among its earlier members, must impress us all with a sense of the debt we owe for their active exertions in its behalf; and when the names of King, Doane, Duer, Hornblower, Parker, Field, Alexander, Carnahan, Congar and others, who were wont to devote their leisure time and their mental abilities to the service of the Society, are recalled, we not only lament their loss, but also the fact that it is, in a great degree, irreparable—their places, when their usefulness is considered, remaining unfilled. The Committee have had cause to feel the want of the coöperation which the fathers of the Society were ever ready to extend, to give interest to its meetings, from having failed to secure any special historical paper for this occasion. They earnestly request the members to endeavor to place at their disposal memoirs, however brief, that may be used to arouse

inquiry or furnish information respecting any matter of historical interest."

THE COMMITTEE ON PUBLICATIONS reported the publication of the concluding number of the thirteenth volume of the Society's "Proceedings," making, with the "Collections," consisting of distinct works, twenty-one volumes the Society has issued illustrative of the history of the State.

THE COMMITTEE ON THE LIBRARY reported the completion of several undertakings, and the progress made in others, whereby the usefulness of the library had been increased by a more perfect development of its resources.

The Maps, of which the Society possesses a collection both valuable and numerous, had all been arranged, numbered and catalogued. The duplicates, both of books and pamphlets, had been carefully catalogued to facilitate exchanges. The binding of many of the more valuable had been proceeded with and will continue to receive the attention of the Committee from time to time as the resources of the Society might warrant, and several volumes of newspapers had been bound, making some of the files more complete, and rendering reference to all of them more convenient.

A new Catalogue had also been commenced, which it was intended should embody, in the most approved form, thorough information respecting the entire collection of books and pamphlets. This was a work which had been long desired, the present catalogues being from various causes very defective; but its magnitude had deterred the Committee from entering upon it until recently. It would now be prosecuted to completion, in manuscript, with the hope that circumstances might warrant its being put in print at an early day.

Other measures more or less conducive to the convenience of the members and good order of the library had received attention.

Reference having been made to the Society's collection of newspapers, and as many of the members had not had opportunities to examine it, the Committee presented some of its features in detail as follows:

“Of Papers published in New Jersey prior to the present century we have—

The New Jersey Gazette from 1778 to 1785.

The New Jersey Journal from 1781 to 1818.

The New Jersey State Gazette from 1792 to 1852.

The New Brunswick Gazette, 1787 to 1789.

Wood's Newark Gazette, 1795 to 1797.

Sentinel of Freedom, 1796 to 1852.

The Rural Magazine of Newark, 1798.

“Of those published during the present century the most complete are—

The Newark Daily Advertiser, 1832 to 1874.

Trenton Federalist, 1803 to 1805.

Trenton True American, 1805.

Trenton Emporium, 1821 to 1827.

Trenton Emporium and True American combined, 1830 to 1833, 1837 to 1840.

New Jersey Advocate, 1848 to 1850.

New Brunswick Fredonian, 1848 to 1858.

Paterson Intelligencer, 1848 to 1858.

Burlington Gazette, 1852 to 1857.

Burlington Rural Visitor, 1811.

Morristown Palladium of Liberty, 1810 to 1815.

Warren Journal, 1848 to 1849.

Newark Monitor, 1831 to 1834.

Newark, New Jersey, Eagle, 1820, 1826, 1832.

Somerset Whig, 1848 to 1850.

Somerset Messenger, 1848 to 1858.

Miscellaneous New Jersey Papers published during the Rebellion, 33 large volumes, presenting the details of operations in numerous localities, arranged chronologically :—and other less perfect files.

“Of those published out of the State prior to the present century, we have—

New York Gazetteer from 1784 to 1787.

Pennsylvania Gazette, 1757 to 1759.

New York Weekly Museum, 1793 and 1794.

American Farmer and Dutchess County Gazette, 1798 to 1800.

New England Weekly Journal, 1827.

Owens' Weekly Chronicle, 1759.

Gazette of the United States (Philadelphia), 1791 to 1793.

Porcupine's Gazette, Philadelphia, 1798 and 1799.

New Bedford Courier, 1799 to 1803.

Kingston Sun, 1793 to 1798.

Richmond Advertiser, 1795.

Litchfield Monitor, 1793 to 1797.

Philadelphia Minerva, 1797.

Boston Chronicle, 1767.

New York Weekly Magazine, 1795 to 1797.

New York Diary and Mercantile Advertiser, 1797 to 1798.

"Of those published during the present century, a large number of valuable files from different cities, the most complete being—

The New York Daily Times, 1854 to 1873.

The New York Evening Post, 1812 to 1833.

The New York Commercial Advertiser, 1825 to 1836.

The National Intelligencer, 1808 to 1813.

The New York American, 1833 to 1837.

The New York Mercantile Advertiser, 1812 to 1832.

"It is scarcely necessary to say that such a collection possesses vast interest for all engaged in "copying fair what time has blurred," affording items of information and details of events nowhere else obtainable, excepting in like repositories."

In this connection the Committee asked for the influence of the members with the conductors of newspapers in their several localities, to have files of their respective journals preserved for the Society, and transmitted yearly for preservation in the library. Such an arrangement would be more satisfactory than their transmission daily or weekly, as miscarriage would not be so likely to occur. Only two papers were now received regularly from the publishers.

The Committee stated that the Corresponding Secretary had continued his supervision of the library to the present time, but his engagements being such as render it burdensome, it would be in accord-

ance with his wishes were the Society at this meeting to appoint a Librarian, to fill the vacancy occasioned by the death of Mr. Congar in July, 1872. A report of the additions made to the library by donations was submitted, the total number being 43 volumes and 192 pamphlets.*

THE COMMITTEE ON NOMINATIONS reported favorably on a number of names that were referred to them, and the gentlemen were thereupon elected members, and several new nominations were received.

The chair appointed the Standing Committees for 1875 as follows:

Committee on Publications—William A. Whitehead, Samuel H. Pennington. M.D., John Hall, D.D., William B. Kinney, Joseph N. Tuttle.

Committee on Library—Martin R. Dennis, Edward Sealey, Robert S. Swords, Robert F. Ballantine, W. A. Whitehead.

Committee on Finance—Joseph N. Tuttle, Wm. B. Mott, L. Spencer Goble, John C. Johnston, Charles E. Young.

Committee on Statistics—N. N. Halstead, F. W. Jackson, E. M. Shreve, Arthur Ward, M.D., William Nelson.

Committee on Nominations—David A. Hayes, David Naar, Robert B. Campfield.

Judge Nixon, Mr. Richey and Rev. Dr. Sheldon were appointed a Committee to nominate officers for 1875, who subsequently reported the following, who were elected:

President—HENRY W. GREEN, LL.D., of Trenton.

Vice Presidents—SAMUEL M. HAMILL, D.D., of Lawrenceville, WM. B. KINNEY, of MORRISTOWN, PETER S. DURYEE, of Newark.

Corresponding Secretary—WILLIAM A. WHITEHEAD, Newark.

Recording Secretary—DAVID A. HAYES, Newark.

Treasurer—ROBERT S. SWORDS, Newark.

Librarian—MARTIN R. DENNIS, Newark.

Executive Committee—SAMUEL H. PENNINGTON, M. D., of Newark; N. NORRIS HALSTEAD, of Kearney; JOHN HALL, D.D., of Trenton; JOHN CLEMENT, of Haddonfield; SAMUEL ALLINSON, of

*See page 12.

Yardville; THEODORE F. RANDOLPH, of Morristown; HUGH H. BOWNE, of Rahway; JOEL PARKER, of Freehold; JOSEPH N. TUTTLE, of Newark—with the officers.

The Special Committee on Colonial Documents, consisting of Messrs. Nathaniel Niles, Joel Parker, Daniel Haines, and W. A. Whitehead, was continued.

Mr. WHITEHEAD offered the following preamble and resolution :

WHEREAS, The Rev. Ravaud K. Rodgers, D.D., who has for two years filled the position of President of the Society, has removed from the State, and in consequence has declined a re-election to the office he has so acceptably filled ; therefore

Resolved, That the members of the Society, on acting in accordance with the suggestion of the Rev. Dr. Rodgers, by placing another in the position of President, cannot refrain from expressing their regret at the dissolution of those associations which have been the source of much pleasure to them all, and the loss of those services which have ever tended to the benefit of the Society, and would convey to him assurances of their high appreciation and regard.

The preamble and resolution were adopted, and the Secretary instructed to transmit them to Dr. Rodgers.

MR. WHITEHEAD called up the amendment to the By-Laws submitted at the last meeting, relating to the duties of the Committee on the Library, *viz.*, to strike out of Article XI the words "in their discretion, in the purchase of books and other articles, whatever sums may be placed at their disposal by the Society," and insert "*in the purchase of books and other articles, for binding and incidental expenses, and for the remuneration of the Librarian and his assistants, such sums as in their discretion they may deem necessary for the well-being of the Library.*"

REV. JOHN HALL, D.D., presented for the library the marriage license, from Gov. William Franklin, of Jacob Quick of Amwell Township, to Jerusha Rose of Hopewell Township, Hunterdon County, dated October 28th, 1772.

MISS S. S. STAFFORD presented for the cabinet of the Society some relics of the Revolution which had been preserved by the late Mr. C. C. Haven.

Ex-Gov. PARKER made some remarks upon the interesting character of much of the early history of Monmouth County, and stated that the early records which he had submitted for the examination of the members at a former meeting, were yet in his possession, and a copy of them might be obtained for the Society if thought advisable.

Mr. DURYEE urged upon the members the obligation to do for their respective localities what Gov. Parker had done for Monmouth, remembering that the history of the several counties ante-dated that of the State, and that to have the latter reliable the former should be rescued from the doubts and gloom that now too much prevail.

It was understood that Gov. Parker would obtain a copy of the Records referred to.

The Society then took a recess, and on re-assembling, MR. WM. NELSON offered the following resolution, which was adopted—

Resolved, That the Committee on Statistics be authorized, in behalf of this Society, to recommend to the Legislature at the present session, the adoption of measures to collect, in connection with the decennial State Census, such statistics as will serve to illustrate the progress and present condition of New Jersey in agriculture, manufactures, commerce, mining, and other elements of its prosperity.

MR. ALLINSON, of Yardville, presented to the Society a very interesting subscription list for copies of "Mavor's Universal History," published in 1803 in twenty-five volumes. The roll had appended the signatures of many of the first men of the time, such as Richard Stockton and Samuel Stanhope Smith of Princeton, Governor Bloomfield. Judges Paterson and Kirkpatrick of New Brunswick, Elisha Boudinot, Rev. E. D. Griffin, Gen. John N. Cumming, Alex. C. McWhorter, William Halsey and others of Newark, Commodore Truxton of Amboy, John Rutherford and Stephen Van Cortlandt of Belleville, &c.

MR. ALLINSON also read a very interesting paper detailing the intercourse between the State and the Delaware Indians about the middle of the last century, which led to the purchase of land for their accommodation in Burlington county—their subsequent removal, etc.; in all which the course of New Jersey was so marked by consideration and kindness towards the natives as to lead them to confer upon

her the title of "the great arbiter or doer of justice." The paper was listened to with great attention, and at its close its facts and statements were commented on by Rev. Dr. Sheldon, Messrs. Hayes, Buchanan, Clarke, Wilson and others, and, on motion, Mr. Allinson was requested to place a copy at the disposal of the Society.

MR. WHITEHEAD read a paper received from Mr. Edwin Salter of Washington, on "The Significance of Geographical Names in the Counties of Monmouth and Ocean and their vicinity."

MR. NELSON presented for the inspection of the members a snuff-box received from the Duke of York by the Rev. John Demarest in 1821, for his services in connection with the removal of the remains of Major André to England, which is now the property of Mrs. Blauvelt of Paterson. Mr. Nelson, in connection with its presentation, read a paper giving the details which prompted the gift of the box to the Rev. Mr. Demarest, a copy of which was asked for after some and earnest and appreciative remarks by Mr. W. H. Wilson.

The Society then adjourned to meet in Newark in May next.

Resident Members Elected

JAN. 21st, 1875.

John F. Babcock, *New Brunswick.*
 Joseph Black, *Newark.*
 Rev. Allen H. Brown, *Camden.*
 Peter Cortelyou, *Franklin Park, Middlesex Co.*
 Rev. Daniel S. Foster, *Pennington.*
 Rev. John Gaston, D.D., *Passaic.*
 Rev. Wm. H. Harison, *Newark.*
 H. Ellis Hart, *Jersey City.*
 Henry R. Kennedy, *Bloomsbury.*
 F. B. Mandeville, M.D., *Newark.*
 John C. Mandeville, *Newark.*
 E. Newton Miller, *Newark.*
 James Owen, *Newark.*
 Rev. C. M. Parkman, *Red Bank.*
 Alfred Reed, *Trenton.*
 Clinton G. Reynolds, *Orange.*
 J. S. Thompson, *Swedesboro'.*
 B. W. Throckmorton, *Jersey City Heights.*
 Rev. J. Bloomfield Wetherill, *Newark.*
 Alexander Wurtz, *Flemington.*

CORRESPONDING MEMBER.

J. H. Simpson, *Brig. Gen'l U. S. A.*

HONORARY MEMBER.

Rev. Edward D. Neill, A. M., *Minneapolis, Minn.*

TREASURER'S STATEMENT OF FINANCES TO DEC. 31, 1874.

1874.		RECEIPTS.		1874.		EXPENDITURES.	
From Initiation Fees.....	\$115 00	To Rent of Rooms.....	\$700 00	" Salary Assistant Librarian.....	169 00	" Incidental Expenses, including Janitor, Advertising, Carpen-try, Postage, Expressage, Fuel, Stationery, &c., &c.....	205 57
" Annual Dues of Members.....	516 00	" Rent of Room to Board of Trade.....	500 00	" Binding, Pamphlets, Papers, &c.....	317 80	" Printing and Publishing Proceedings.....	178 00
" Life Members Fees.....	130 00	" Subscriptions to Library Fund.....	400 00	" Life Member Fees deposited in the Dime Savings In-stitution.....	175 00	" Books bought.....	28 00
" Rent of Room to Board of Trade.....	74 20	" Rent of Park Street Lot.....	8 18	" Balance in Treasury Dec. 31, 1874.....	1,177 35		
" Interest on Deposits in Newark Savings Institution	43 57	" American Trust Company..	10 50				
" " " " " "	1,003 27	" Sale of Collections and Proceedings.....					
" " " " " "		" Old Papers (waste).....					
Balance Cash on hand Dec. 31st, 1873.....	\$2,350 72						
Annual Dues in Arrear.....	\$275 00						

ASSETS.

Lot of Land in West Park Street, value	\$10,000 00
Cash on Deposit in Newark Savings Institution	1,060 00
" " Dime Savings Institution, Life Mem- ber Fees and Interest	1,075 84
Cash in Treasury	1,177 35
Total Assets	\$13,313 19

The undersigned, Committee of Auditors from the Finance Committee, having examined the books and accounts with accompanying vouchers of the Treasurer for the past year, respectfully report that we find the same correct and true.

JOSEPH N. TUTTLE, {
L. SPENCER GOBLE, { *Auditors.*

Newark, Jan. 7th, 1875.

Donations

ANNOUNCED JAN. 21st, 1875.

From the United States Patent Office—The Official Gazette, Vol. 5, Nos. 18 to 26. Vol. 6, Nos. 1 to 26.

General Index to Volumes 3 and 4.

From Mr. G. A. Voorhees—A fac-simile copy of the Ulster County Gazette, Jan. 4, 1800, containing an account of the funeral of Washington.

From Essex Institute, Mass.—Collections, Vol. XII, part 3, and Bulletin, June, July and August, 1873; March to August, and October, 1874.

From Miss S. S. Stafford—Original manuscript Petition of 74 Freeholders and inhabitants of Morris County to Governor Franklin, asking for a Law restricting the ranging of Cattle. Date uncertain.

From Dr. S. A. Green, Mass.—Harvard Memorial Biographies. Cambridge, Mass., 1867. 2 Vols., 8vo.

American Journal of Numismatics. Vol. VI., Nos. 3 and 4. Boston: January and April, 1874.

Lecture by Rev. Thomas K. Beecher at Elmira, N.Y., Jan. 9th, 1870.

Act of Incorporation and By-Laws of Massachusetts Historical Society. Boston: 1873.

Proceedings of the same Society at the 100th Anniversary of the destruction of the Tea in Boston Harbor. Dec. 16th, 1873.

Fifth Annual Report of the State Board of Health of Massachusetts. Jan., 1874. 1 Vol., 8vo.

Medical Communications of the Massachusetts Medical Society. 5 Pamphlets.

Reports of Massachusetts General Hospital, 1871 and 1873, and other medical pamphlets.

War Powers of the President and the Legislative Powers of Congress and War Claims against the United States, by Wm. Whiting. Boston: 1873.

Catalogue of Lawrence Academy, Groton. 1873.

Receipts and Expenditures of the Town of Groton. 1873-4.

Boston Statutes and Ordinances relating to Public Health.

Corporal Punishment in Public Schools, by Merrill Wyman, M.D. Cambridge: 1867.

Services for the Installation of Officers and Burial of the Dead of the Grand Army of the Republic. Boston: 1873.

President Greeley in 1872, President Hoffman in 1876, and the resurrection of the Ring. Pharaoh Budlong, (Fred B. Perkins). Boston: 1872.

Rules and Regulations in relation to the payment of State Aid. Boston, 1872, '73, '74.

Manual of Public Schools of Boston, 1874, and four other Educational Pamphlets.

Reports (20) of various Charitable Institutions of Boston.

Proceedings of National Encampment of the Grand Army of the Republic. 1873, '74.

Address before Young Men's Christian Union, by Andrew J. Peabody, Feb. 22d, 1874. Boston.

From Hudson County Bar Association—Obituary Addresses, &c., on the death of Abraham O. Zabriskie, LL.D. 1 Vol., 8vo.

From U. S. Coast Survey—Report for 1870. 1 Vol., 4to.

From Rev. S. M. Studdiford—Address on the 25th Anniversary of the Third Presbyterian Church, Trenton, N. J. 1874.

From R. S. Swords—Results of the Resumption of Specie Payments in England, 1819, 1823; a lesson and a warning to the public of the United States, by Henry Carey Baird.

Speech of Hon. Wm. D. Kelley of Pennsylvania, in the House of Representatives, on the way to restore the Revenues, March 7th, 1874.

Letters on the Crisis; Currency; and the Credit System, by Henry C. Baird. 1873.

Correspondence between Pliny Freeman and Hugh McCulloch on Rate of Interest as a Regulator.

Treasurer's Report of N. Y. Produce Exchange and Annual Address of the President, May 26th, 1874.

Annual Report of Trade and Commerce of Milwaukie for 1873.
Report of Consolidation Coal Company of New York, 1871,
1873.

Recollections of an Old Cartman, by Isaac S. Lyon, Boonton,
N. J. 1872.

New Jersey Centennial Tea Party, held in Trenton Feb. 25th,
26th, 1874.

Sermon by Morgan Dix, S.T.D., Rector in Trinity Church, New
York, Ascension Day, May, 14th, 1874.

Sixteenth Grand State Fair, New Jersey Agricultural Society.
1874.

Sermon by Rev. J. N. Stansberry, St. Mary's Church, Burling-
ton, May 27th, 1873.

Sermon by Rev. Octavius Applegate, St. George's Church,
Newburgh, N. Y.

From Rev. Joseph F. Tuttle, D.D.—Historic Discourse at Quarter
Century Anniversary of Second Presbyterian Church, Terre
Haute, Indiana, Dec. 27th, 1873, by Rev. Blackford Condit.
Cinn. : 1874.

A Discourse commemorating the Life and Character of the Rev.
Henry Hervey, D.D., Martinsburgh, Ohio, by Rev. Dwight B.
Hervey, Pastor of the Presbyterian Church, Mount Vernon, Ohio,
March 31st. 1872.

Because and Wherefore: a Baccalaureate Address before
Wabash College, Crawfordsville, Indiana. 1874. By Joseph
F. Tuttle, President.

Essays in Literature and Ethics, by Charles White, D.D., Presi-
dent Wabash College. Boston: 1853.

From Wilmington Institute—Seventeenth Annual Report. April,
1874.

From Pennsylvania Historical Society—A History of New Sweden,
or the Settlements on the River Delaware, by Israel Acrelius.
Translated by Wm. M. Reynolds, D.D. 1874. 1 Vol., 8vo.

From Newark Board of Trade—Newark Directory, 1873-4.

From the Minnesota Historical Society—Collections, Vol. II., part 2.
1874.

From Boston Public Library—Bulletins, Nos. 4, 7, 12, 21, 26, 30, 31.

From Academy of Natural Sciences, Minnesota—The Geological and Natural History of Minnesota. 1873.

From Yale College—Obituary Records of 1873, '74.

Statements respecting the late progress and present condition of the various departments of the University.

Catalogues, 1874-5.

From American Antiquarian Society—Proceedings for March 16th and April 25th, 1866, and October 21st, 1868.

Transactions. Vols. III and IV.

From L. W. Oakley, M.D.—History of Elizabeth, New Jersey, including the early history of Union County, by Rev. Edwin F. Hatfield, D.D. 1 Vol., 8vo. 4 copies.

From Henry G. Darcy—Jubilee of the Constitution, by John Q. Adams. Having autograph of John S. Darcy.

From the Author—Genealogy of the Kingsbury Family, by John Ward Dean. Boston.

Constitution and By-Laws of the Prince Society.

Brief History of the New England Historical and Genealogical Register. J. W. Dean. 1863.

Memoir of Rev. Giles Firman, and of the ejected members of 1662, by J. W. Dean.

Reported Embarkation for America by Cromwell, by J. W. Dean.

From Iowa State Historical Society—Annals of Iowa. 1874. July, 1874.

From Edwin M. Salter—Newspapers containing items of history of Salem County, New Jersey.

From ————Philadelphia Telegraph, containing an article on the early history of Coal, read before the Historical Society by Wm. J. Buck.

From ————American Monthly Illustrated Magazine, History and Literature, Vol. IV., No. 37.

From ————Obituary Notice of J. Edgar Thompson, from the Philadelphia Telegraph.

Fifth Annual Report of the Geological Survey of Indiana, by E. S. Cox, Geologist.

From ——————In Memoriam. Our Heroic Dead. Newark, Ohio. 1874.

From the Publishers—The American Bibliopolist, May to Dec., 1874.

From Samuel G. Drake—Narrative, Remarks, Expository Notes and Historic Criticisms on the New England Historical and Genealogical Society. 1872.

From American Swedenborg Printing and Publishing Company—Nineteen Volumes of their publications.

From Wm. Foster Dodge—South Carolina and Georgia Almanac. 1755, 1764, 1765, 1773.

From U. S. Bureau of Education—Circulars of Information. Nos. 1 to 3. 1874.

From J. Ogden Clark—The Montclair Herald. June 20, 1873, to June 1874.

From the Author—The Irish Republic: Ireland and her oppressors, by P. Cudmore Le Seuer, Minnesota: 1871.

From Joseph N. Tuttle—The London Times, Nov. 7th, 1805, and June 22d, 1815.

From the American Philosophical Society—Proceedings, Vol. XIV. January to June, 1874.

From Regents of the New York University—Twenty-third Annual Reports on the condition of the State Cabinet of Natural History. 1870, 1872.

Fifty sixth Annual Report of the State Library, New York, 1873.

From the Smithsonian Institute—Contributions to Knowledge. Vol. XIX.

Report for 1872.

Miscellaneous Collections, Vols. X., XI. and XII.

From Wm. A. Whitehead—Miscellaneous Pamphlets and newspaper slips. Old Times in Monmouth County.

From Theo. S. Parvin, by the hands of Joseph S. Hough, Constitution of the Grand Encampment of Knight Templars, U. S. A. 1871.

Proceedings of the same, 1816 to 1856.

From J. Berrien Lindsley, M.D.—On Prison Discipline and Penal Legislation. Nashville, Tenn.

From Historical and Geneological Society—Register. April to December, 1874.

From Francis Lindsley—Morning Herald, New York. May, 1835. Vol. I, No. 1.

From the New York Geneological and Biographical Society—Record. Vol. V., No. 4. Vol. VI., No. 1.

From S. E. Staples—Programmes of Concerts 17th Annual Festival of the Worcester County Musical Association. 1874.

From Amos H. Searfoss—Ancient Bible; Book of Common Prayer, and the whole Book of Psalms in English Metre, by Sternhold & Hopkins. London: 1708-1709. Upon the fly-leaf is recorded the birth of children of Joseph and Mary Hixon, 1752, 1768, maternal ancestors of the donor. 1 Vol.

Washington's Farewell Address, with a certificate of the membership of Amos Hixon of the Township of Greenwich, N. J., in the Washington Benevolent Society. 1813.

From D. C. Hickey—A piece of the Flag of the C. S. A., used on the State House, Richmond, Va.

From Charles H. Hart—Manuscript Deed from James Logan of Philadelphia, to Stephen Crane, Robert Ogden and Ralph Smith, for land in Reading and Lebanon Townships, on North Branch of Raritan. June 10th, 1738.

From ——————Franklin, Iowa, Newspapers containing Church Reminiscences, by A.D.S. Oct. 28th and November 7th, 1874.

From Guy La Tourette—A Tour in Northern New Jersey. 1 Vol. 12mo.

From ——————The New Jersey Herald, Dec. 30th, Jan. 6th and 13th, containing articles, Old Times along the Delaware, and Old Dutch Churches.

From George H. Preble, U. S. N.—A complete list of Vessels in U. S. Navy; 1797 to 1874, showing the Personelle, Expenditures, &c.

From Robert Clarke, Cinn., Ohio—In Memoriam Samuel S. Fisher.

From the Society—Annual Report of the Historical and Philosophical Society of Ohio. 1874. Constitution, By-Laws, etc.

From Mrs. Jacob Van Arsdale—Portrait of Rev. Hooper Cumming, formerly of Newark.

From General John Watts De Pyester—Sketch of General George H. Thomas, U.S.A., from "Representative Men," and Address upon his Life and Character before the New York Historical Society, January 5th, 1875. By General J. W. De Pyester.

La Royale, Part VII., containing Cumberland Church, or the Heights of Farmville: the last stricken Field of the Army of Northern Virginia—with Portraits and Maps. 100 copies only printed.

Selections from Correspondence and Papers.

LAID BEFORE THE SOCIETY JANUARY 21st, 1875.

ORIGIN AND SIGNIFICATION OF GEOGRAPHICAL NAMES
*in the Counties of Monmouth and Ocean and
 their vicinity, in New Jersey.*
Received from MR. EDWIN SALTER.

MONMOUTH.

Monmouth County was established March, 1683, and was so named by Col. Lewis Morris,* after Monmouthshire, England. This county in turn received its name from its shire town, Monmouth, situted at the junction of the rivers Wye and Monnow. In a modern notice of the town of Monmouth, England, it is said that the name is derived from a mountain at the mouth of the river—Mon Mouth, Mountain Mouth. From the peculiar and picturesque situation of the town this would seem plausible, but older authorities give a different origin to the name.

*W. A. Whitehead.

The British Encyclopedia, speaking of its being situated on a tongue of land between the Wye and Monnow rivers, says the name is from Monnow-mouth, shortened to Mon-mouth. And this is confirmed by Leland, a very ancient English writer, who is endorsed by Heath in his interesting description of Monmouthshire, and also by the Cambrian Register. Leland says, in quaint, ancient orthography and style :

“Monmouth towne ys waulled and standeth yn the diocese of Hereford between ii ryvers Wy and Mone of which yt taketh name. Of these ii ryvers Wy to us standeth lower and Mone higher.”

As the ancient name of the Monnow seems thus to have been Mone, and as the town is at the mouth of this river, it seems reasonable that Mon-mouth is from Mone-mouth, which, says an ancient English writer, is *euphonia gratia* Monmouth.

COLT'S NECK.

Howe's Historical Collections says this name is a corruption of Call's Neck; but this is undoubtedly erroneous. The name was probably derived from an innkeeper's sign upon which was painted the old crest of New Jersey, a horse's head within a wreath. Other places in our State have been known by innkeepers' signs, as White Horse, Black Horse, Red Lion, Blue Ball, &c.

TINTON FALLS.

This name is a corruption of Tintern, after which place in Monmouthshire, England, famous for its abbey, it was named.* Heath's Monmouthshire gives an interesting sketch of this famed abbey.

ALLENTOWN.

Probably after Chief Justice William Allen of Pennsylvania, after whom Allentown, Pa., was named. Mr. Allen was a particular friend of the Penn family, from whom he derived large grants of land. Gov. John Penn married his daughter. His son, James Allen of Philadelphia, became heir to his estate. This Allen family was interested in land enterprises in New Jersey.†

* W. A. Whitehead.

† Pennsylvania Histories.

NAVESINK.

Of Indian origin, meaning high land between waters.*

EATONTOWN.

After John Eaton, an early settler.†

SHREWSBURY.

This name is of Anglo-Saxon origin, and means "a city near which were many shrubs."‡

BARNEGAT—Ocean County.

This name is of Dutch origin and originally written *Barendegat*, meaning "breakers' inlet," corrupted to Barndegat and finally to Barnegat.¶

TOM'S RIVER—Ocean County.

One tradition says that this place was named after a noted Indian named Tom who lived on an island in the river. This is probably incorrect, as Indian Tom was living at the beginning of the Revolution, and land records show the place was named Toms River fifty years before (1727).

Another more probable tradition is that it was named after Capt. William Tom, who came to this country with the English expedition that conquered the Dutch in 1664. He located on the Delaware in the fall of this year, and was subsequently appointed to various offices of trust, among them that of land agent and collector of quit rents from falls of the Delaware (near Trenton) to Cape May. In collecting land rents and searching for eligible places for settlers to locate, it is said he visited the stream now known as Toms River and induced the first English settlers to locate there, and they called the place after him. Captain William Tom seems to have been a trustworthy, energetic man, and enjoyed the confidence of Governors Nicholls.

* Webster.

† Webster.

‡ Gov. Parker's Address, Howe's Collections, &c.

¶ Brodhead's New York.

Lovelace and Andros, of John Fenwick, the noted proprietor, and of the Dutch, Swedes, English and Indians.*

DOVER—Ocean County.

The name of this Township is of Anglo-Saxon origin, and means a ferry.†

MANNAHAUKIN—Ocean County.

Of Indian origin, said to mean good corn land.‡

WEST CREEK—Ocean County.

Of Indian origin, probably from *Weos-conck* or *Waus-conk*, a place to get meat or eatables.§ In old maps the name is variously given as Wesconk, Wisconk, Westecunk, &c., and finally settled to West Creek. The Indians from West Jersey resorted here for oysters, clams, fish, wild fowl, &c.

NEW EGYPT—Ocean County.

Tradition says that an old settler named Cowperthwaite Kimmons owned a mill here and raised much corn, on which account people at a distance jokingly called the place New Egypt.||

HOWELL—Monmouth County.

This Township was set off from Shrewsbury in 1801, the last year that Richard Howell was Governor of New Jersey, and was probably named in compliment to him.

SQUAN—MANASQUAN.

Howe's Historical Collections (page 512) says: "Manasquan, an enclosure with a house therein; perhaps a fort or place of defence on this (Manasquan) river."

Squan is also a New England geographical name of Indian origin. May it not be derived from *Squaw-on*, "women's place?" The Indi-

* Hazard's Annals of Pennsylvania has various quotations from early records regarding Captain Tom.

† Arthur on Surnames, Webster, &c. ‡ Gordon, Schoolcraft, Tradition, &c.

§ See Schoolcraft.

|| Hon. James Cowperthwaite, New Egypt.

ans when starting on the war path would be likely to leave their squaws and children in "an enclosure with a house therein" as some sort of protection against enemies in their absence. If this suggestion of the origin of the name Squan is correct, then *Manasquan* probably signified "an island with an enclosure for squaws." About the time of the first settlements made by the Swedes and Dutch in West Jersey, the New Jersey Indians were occasionally harassed by raids made by other tribes, in consequence of which they would probably look out for some comparatively safe retreat for their women and children. The Indians in West Jersey were well acquainted with the various paths to the sea shore, and as their enemies usually attacked them in their villages near the Delaware, it would be natural for them to send their families to their familiar resorts near the sea shore for safety.

RARITAN—CHINGORORA.

Thomas Gordon in *Historical Collections of New Jersey* (page 512) says Raritan means Forked River. This explanation of the origin of the name is not satisfactory for several reasons. According to Reichel in his paper before the Moravian Historical Society, 1872, based on Zeisberger, Heckwelder and other authorities, the Indian word for forked was *lechan*, and for river or stream *hanne*. The Salem Interpreter in Lossing says the Delaware word for river was *kitt-hanning* or *ket-hanning*. *Hanning* is evidently the *hanne* of Heckwelder, and *kit* means large or main (Reichel, p. 247). Beside the fact that it seems improbable that the name Raritan is a corruption of *Lechan-hanne* or *Lechan-nanning* the Indian words for Forked River, there seems to be no good reason why the Raritan should be especially called "a forked river." Again, it is well known that the last syllable of the name Raritan signifies place or locality. Is it not more probable that the name Raritan is a corruption, for euphony, of *Rutte-an*, a destroyed place? The New York Colonial Records inform us that about the time of the coming of the whites, the Indians had settlements along what is now known as Raritan bay, but they were compelled to abandon them because every spring their country was flooded, destroying their maize and doing other injury. And if *Rari* is a corruption of *Rutte*, then *rora* in Chingo-rora, the

Indian name for the vicinity of Keyport, is probably of the same origin. Chingo means where, what, when, &c., and hence Chingorora "where destroyed"—substantially "where the locality is that was destroyed." The Indians in this locality had their maize stored in holes under ground, which the freshets spoiled and probably made their wigwams unfit for habitations.*

WAACKAACK—WAYCAKE.—Monmouth County.

This name possibly may be of the same origin as *Wachachkeek* in New York State. A tradition in that vicinity says the name means "house land." Dr. E. B. O'Callaghan, the learned New York historian, says of this place, one of the plains of Catskill, N. Y., that the name signifies "hilly land" or "high land," from *wachon*, a hill, and *keag*.† In same magazine, page 45, another correspondent says *kaack* means goose, and the Salem Interpreter in Lossing's Record says the Indian word for goose was *rahake*, substantially the same. This would lead to the supposition that Waackaack might be a corruption of *ock kaack*, a place for geese or wild geese.

Among the first whites who regularly visited the shores of old Monmouth, were men employed by the noted Dutch patroon, Van Rensselaer.‡ Is it not possible that some of these Dutch may have named the place after Wachachkeek, N.Y., and that the name probably signifies a place for wild geese? Campanius says the Indian word for goose was *Hack* or *Cahack*, and De Laet gives it as *Ciahack*.

CINNAMINSON—Burlington County.

A correspondent of Historical Record (Vol. I. p. 313,) says there are many places of this name in the United States, and asks the meaning. In reply another correspondent says:

"The word *cinna* signifies stone; *minshee* is tree, and *cinna minshee* means stone tree. This name the Indians applied to the sugar

*For *Rutte hock*, burned or destroyed land, see Lossing's Hist. Rec., July, 1872, p. 310; *Matta-rutti*, good for nothing, according to Campanius, &c.

†Hist. Mag., 1859. p. 367.

‡See W. A. Whitehead's reference to "A voyage to Navesink by Mr. Krieges Govert Lookermans and others in the Company's yacht, 1663."

maple tree, probably because the sap on being boiled became hard. *Sinne* was not only intended for stone but oftentimes for hard; for instance, a person hard to deal with is called *Achsinne*.*

This explanation will hardly answer for the New Jersey Cinnaminson. Cinna or Sinne, it is quite certain, means stone. But as to the sugar maple it was unknown to the Indians of this section. For "tree" the Delaware word was *hittock*, as stated in Salem Interpreter, and *hitteocke* according to De Lact; others give it as *hittoke*—all three substantially the same. It is therefore decidedly improbable that the sugar maple had anything to do with giving the name. Is it not more probable that the name originally was *cinna-minna-on*, "the stone island place," the letter "s" thrown in for euphony? Hard stones, such as the Indians used for their rude tools, were scarce in South Jersey, and any locality where they could be found would be noted. Might not the name have been applied to the islands or flats in the Delaware near Trenton, once and perhaps still noted for cobble stones and the name transferred by the whites to a locality farther down the river than the Indians intended? It is true that in years gone by the upper part of the Delaware river has frozen over and in shoal places the ice has imbedded stones, and spring freshets have brought down huge cakes, some of which have drifted ashore and deposited stones brought from a long distance. In Iowa the noted Wall Lake receives its name from stone deposited like a wall in some places on its bank in successive years, layer after layer, by ice. It is barely possible that stones may have thus been stranded near what is now known as Cinnaminson—if so, it would have been to the Indians a marked locality. But it is more probable that the name was given to the little island further up the river.

The discussions in various periodicals as to the signification of the name Manhattan, have pretty well established the fact that among the Delawares *mona* or *minna* means island. The Indian word for place is variously given as *on*, *onk*, *ong*, *ank*, *anke*, &c.

In the quotation above made from the Historical Magazine, it is stated that *minshee* means tree; this was probably on the authority of the Moravian missionaries, Zeisberger and Heckwelder. These

*M. S. H. in. His. Mag., Vol. II. p. 26.

men not only traveled among the Delawares, but also among the Menomonees, and in giving the meaning of Indian names they seem sometimes to have confounded the two, as in this case, as minshee was not the Delaware word for tree, but was the Menomonee word. Mr. Cummings, the Indian Agent,* gives the Menomonee word for tree at the present day as *me-an-shah*—substantially the *minshee* of the Moravians of the last century.†

MATAWAN—MATAVAN—MATTEAWAN.

A tradition in the vicinity of Matteawan, Dutchess County, New York, says Matawan means “good furs.” Moulton and Spafford say it means “highlands.” Schoolcraft in a paper read before the New York Historical Society, expresses the opinion that the name is from *metai*, a magician, and *wian* or *wyaun*, a skin, and Matawan originally meant in substance “a charmed skin;” and Schoolcraft’s opinion is accepted by Brodhead in his History of New York.

In regard to Schoolcraft as authority for the signification of geographical names of Indian origin, the chief fault found with him by critics has been that instead of giving the most simple, evident origin of names, he will labor hard to find poetical or fanciful meanings, as witness his explanation of the origin of the names Niagara, Manhattan, Shawmut, &c., and the criticisms thereon in Historical Magazine, Lossing’s Historical Record, &c. In explaining the signification of Matawan may he not again be straining a point?

Mata or *Matla* is a well known Delaware negative word, signifying no, not, nothing, not good, bad.‡

The above mentioned Salem Interpreter says the Indian word for a dressed skin was *Hay*, and for undressed skin *Hayes*, as does Campanius, which does not correspond with Schoolcraft. Is it not possi-

*Schoolcraft’s Archives.

†Calvin, the educated Delaware Indian, informed Mr. Samuel Allinson that Cinnaminson meant “the place of tangled roots.”—ED.

‡See Gabriel Thomas’ History of West Jersey. Indian Interpreter from Salem Records in Lossing’s Hist. Rec. July, 1872. Reichel’s paper on origin of Indian geographical names, read before Moravian Hist. Soc. 1872. Campanius’ New Sweden, &c.

ble that *wian*, *wyaun*, or *wan* may mean a skin used only for the special purpose of a kind of coat, being thrown on the shoulders by the Indians?

The "Salem Interpreter" defines *Aquewan* as a coat or woolen cloak. As to *aque* in this connection, I find no reasonable interpretation, unless from this word in use by the Delawares in Maryland, who used it to signify "under" or "between;"* and it may have been used to designate the cheap match coats which the whites sold the Indians, and which might at times have been worn under the *wian* or dressed skin.

Mr. Cummings, Indian Agent, in Schoolcraft's Indian Archives, Vol. II., says the modern Delaware word for coat is *shah-ko-quee-yun*. *Quee-yun*, the word used by the Delawares at present, is probably the *wian* of two centuries ago. As to *shah-ko*, is it the same as Zeisberger renders *scha-cha*, signifying straight? (*Shah ko-quee-yun*—straight coat?)

After the coming of the whites the demands of their trade made it an object to the Indians to secure furs of beavers, minks, otters, and other small animals for traffic, but for the use of the Indians themselves, the skins of larger animals like the deer and bear were of much more importance, and hence at proper seasons they felt it important to seek localities where they could secure for clothing, wigwam use, &c., the skins of larger animals essential to their wants. And in many localities where could be found many small animals like beavers, otters, &c., to give "good furs" for the white man's trade, as may have been the case at Matteawan, N. Y., and Matawan, N. J., there might have been in these places no larger animals to furnish their *wyauns* or *wans*, and hence they might term such places *matta-wian* or *matta-wan*—no place to get skins for clothing, or as some might express it, a poor hunting place.

*See *Aquia*, &c., in Reichel, p. 275.

AN INTERESTING MEMENTO OF MAJOR ANDRÈ,

READ BEFORE THE SOCIETY BY MR. WILLIAM NELSON.

Perhaps no one incident of the American Revolution excited a profounder or more tender interest among the partisans of both the contending Nations, than the capture and subsequent ignominious death as a spy (at Tappan, N. Y., a few hundred yards north of the New Jersey boundary line, October 2d, 1780,) of the gallant and accomplished young Major John Andrè, the Adjutant-General of the British army. The century that has since well-nigh elapsed has not lessened the interest in that tragic event, but has rather, indeed, served to intensify the sympathetic emotions with which we read of his untimely fate, while we almost wonder now that the exigencies of war should have then seemed so urgent as to require the summary taking of that chivalric young life, so full of promise of great renown. The principal facts of his life and death and place of burial are familiar to every schoolboy. The circumstances of the removal of the remains, forty years after interment, are not so well known, and of that event we have an interesting memento here to-day.

Two sisters of Major Andrè having interested themselves to secure the transfer of the remains to England, in 1821 the British Government took measures to comply with their affectionate desire. In August of that year a British man-of-war arrived in the Hudson river, with His Royal Highness the Duke of York (uncle of the present Queen Victoria) on board. The British Consul at New York, Mr. J. Buchanan, joined his distinguished visitor, and the vessel sailed up to Tappan, where the Duke of York, Mr. Buchanan, Capt. Paul, commander of the ship, went ashore and repaired to the lonely grave of the young soldier who had died such a melancholy death in the service of his King. The owner of the surrounding farm at the time was the Rev. John Demarest, a clergyman of the Reformed Protestant Dutch Church at Tappan. He treated his distinguished

guests with the courtesy due to their social and official station, and with the sympathetic consideration which their humane mission deserved. The solitary cedar tree that grew above the resting-place of the gallant and unfortunate young soldier, forming his only visible monument, was removed, and the grave opened. The skeleton was found intact, but strange to say, the roots of the cedar had penetrated to the skull and twined themselves among the bones. The remains having been exhumed with pious care, were transferred to the British vessel, whither, also, was taken the greater part of the cedar tree, which found its way, in minute fragments, into hundreds of noble British homes, as a souvenir of the lamented young André. On the arrival of the precious freight in England, the sisters of the deceased, hearing of the marked kindness shown by Mr. Demarest, were anxious that he should receive some testimonial of esteem in behalf of the friends of their brother. The Duke of York, with that kindness which ever characterized his conduct, at once took it upon himself to see that this was done, and wrote to Mr. Demarest, stating the wishes of those interested, and proposing to send him a solid silver communion service, if agreeable. To this the reply of the unpretending Dutchman was that an English communion service would probably be out of place in a Reformed Protestant Dutch Church in America, and that a simpler gift would be quite as acceptable if His Royal Highness insisted upon sending any. In due time there came from England through Mr. Buchanan to Mr. Demarest, a *snuff-box*, which merits a full description.

This box is round, just three inches in diameter externally, where the lid and bottom join, and two and a half inches internal diameter; the cover and lid bevel outward from the joint, so that the extreme diameter across the top or bottom is three and a half inches; it is an inch and an eighth in thickness, the lid being slightly rounded on top; the snuff receptacle is five-eighths of an inch deep, and the lid, which fits over it (without a hinge), is three-sixteenths of an inch deep. The box is *lined with gold*, the inlaying of the precious metal being very thick. The box itself is of wood, of the identical cedar that grew over André's grave, and which for years had drawn nourishment from his ashes. The wood shows the heart of the tree,

and is exquisitely polished. It shows, moreover, in the lid, a bit of bullet which had been buried in the tree many years before the cedar was removed, and which had marred the symmetry of its growth on that side, and caused a sort of cicatrice in the efforts of nature to close the wound. The shrinkage of the wood of the lid has made a slight fissure on one side. On the inside of the lid, on the golden lining, is the following inscription, exquisitely engraved :



The box is enclosed in a neat and substantial crimson morocco case lined with white satin, just as it was sent over, more than half a century ago.

This interesting memento of the Revolution, of a gallant young soldier's sad fate, and of Royal gratitude, is now owned by Mrs. Jas. I. Blauvelt, of Paterson, daughter of the Rev. John Demarest, (now deceased,) who was present at the removal of the remains of André, and from whom the incidents connected therewith, as related above, have been obtained. She was once offered One Hundred Dollars for the souvenir, but in vain. It is too highly prized by her and her family to be lightly parted with, and this is probably the first occasion on which it has ever been out of the immediate possession of the family—a compliment to the New Jersey Historical Society which will doubtless be appreciated.

WILLIAM NELSON.

Paterson, N. J., Jan. 20th, 1875.

FRAGMENTARY HISTORY
OF THE
NEW JERSEY INDIANS,
BY SAMUEL ALLINSON.

READ BEFORE THE NEW JERSEY HISTORICAL SOCIETY,
JANUARY 21st, 1875.

FRAGMENTARY HISTORY OF THE NEW JERSEY INDIANS.

THE TREATMENT of the aborigines of our country by the early settlers and their immediate descendants, is a matter which necessarily occupies the attention of the historian, and it is a pleasure when he can dwell upon evidences of justice and generous kindness on the part of the Europeans, and of amity and hospitality on that of the Indians. To such mutual friendship and courtesy, continued through the whole intercourse of the parties, perhaps no State in the Union can revert with more satisfaction than New Jersey. And though the Indian is now to us a vanished race, it is felt to be owing to causes which our ancestors could not control—to the adherence by the aborigines to the tribal fee of land and savage modes of subsistence, and their consequent disinclination for patient labor. It is desirable to perpetuate a knowledge of the kindly relations which subsisted, if only as another proof that hostility is not a *necessary* state between comparatively rude and civilized inhabitants of the same territory.

A document has come into my possession, from among the papers of Samuel Smith, the historian of New Jersey, the constitution of "The New Jersey Association for helping the Indians;" to which "on the 16th day of the month called April, 1757," the names of the following "Friends" were signed, as members and contributors: Daniel Smith, £20; Samuel Smith, £20; John Smith, £50; Joshua Raper, £6; Joseph Noble, £5 8s.; Edward Cathrall, £5.8; William Heulings, £5; Elizabeth Smith, £16; Richard Smith, £5; Thomas Wetherill, £4; William Hartshorne, £3; Jonathan Smith, £3; John Hoskins, £2; Hannah Hartshorne, £4.9; Daniel Smith, Jr., £5; Scamon Rodman, £5; Samuel Rodman, £5; Patience Clews, £1; John Woolman, £6.

The motto adopted by the Society, a very appropriate one, is from Isaiah LVIII. 6, 7 and 9. "Is not this the fast that I have chosen? * * * to deal thy bread to the hungry and that thou bring the poor that are cast out to thy house? When thou seest the naked that thou cover him * * * then shalt thou call and the Lord shall answer, thou shalt cry and he shall say, 'Here I am.'"

The preamble sets forth as "a Truth fresh in the memory of several yet living, as well as evidenced by the concurrent testimony of the first settlers in general, that the native Indians of New Jersey were remarkably kind to them, not only suffering them to sit down and improve their possessions quietly (for which the Indians had a consideration), but voluntarily administering to their frequent necessities, when they could expect no reward, and when, without their assistance, some of the first settlers must have suffered exceedingly; and this too at a time when there were many hundreds of them to one White, and had they been disposed to crush the growing settlement, according to the outward appearance of things, nothing could have been easier. But so far were they from thoughts of that kind that they promoted the welfare of the Whites in almost every instance where it was in their power, cherished them through many distressing intervals, and greatly contributed, under Providence, to render an otherwise inhospitable wilderness, pleasant to the European strangers. Considering therefore the scattered situation of their posterity and the real wretchedness in which many of them are involved through their own bad conduct, and in part for want of a proper place of residence, where they might live comfortably together, and by hunting and fishing and what they could raise out of the earth, support themselves in a more convenient and reputable manner than they have hitherto done, we are desirous to procure a suitable homestead for the tribe. This in some instances might have the desired effect, but if it should not be the case, gratitude to the natural and original proprietors of the soil whereon we reside, who treated our predecessors with such a distinguished regard, and to whose justice and indulgence *then* many families, under Providence, have reason to acknowledge their well being *now*, seems to demand some lasting testimonial of our respect to their posterity, and that,

not only for the treatment our ancestors then met with, but for the prudential reasons of engaging them by some public act of Christian benevolence, to continue unshaken in their friendship to the English, to keep them out of the way of danger or of being seduced by rambling abroad, and to exhibit to other nations of Indians a standing memento of justice and kindness, which it may be reasonably expected will have a strong and lasting influence on their Councils, and conduce to the advantage of us and ours and our neighbors for many years to come. At a time therefore when our brethren of Pennsylvania,* animated by the like charitable motives, are showing their regard by large donations in favor of the Indians of that Province, for the reasons above and others of considerable importance, We the subscribers do mutually agree upon the following Articles."

The first article provides "That a tract of about Two Thousand acres of the best land that can be got, nigh or adjoining the Barrens in the counties of Monmouth, Burlington and Gloucester, in New Jersey, be purchased as soon as conveniently may be after the subscriptions are completed." By the second, all the native Indians of New Jersey who had not freeholds already, with their families and their posterity *forever*, were to be entitled to settle and live on said land free of rent. The affairs of the Association were to be attended to by six Managers and a Treasurer, to be annually elected by the subscribers, and they and their successors were to serve without fee or reward.

*This refers to the action of "The Friendly Association for regaining and preserving peace with the Indians by pacific measures," founded in Philadelphia in 1755. When Gov. Morris was about declaring war with the Delawares and Shawanese, these "Friends" offered "cheerfully to contribute, by voluntary grants, a much larger portion of their estates than the largest taxes of a war could be expected to require, toward the obtaining of peace in the same manner, as the unhappy experience of the most martial of the neighboring colonies, had, after long and bloody wars, proved it must at last, if ever, be obtained," i. e., by just purchase of lands, protection from frauds, and considerate kindness. Their personal efforts with influential chiefs and with the government, their wise counsels and generous presents did much toward effecting the general pacification of the Indian tribes of Pennsylvania and Ohio, and the consequent withdrawal of the French from the Ohio. Address from the Association to Gov. Denny, 1757. Proud's Hist. of Pa.

They were to purchase the land, have the oversight of the resident Indians and keep a record of them, order their respective settlements, and adjust all disputes that might happen among them. They were directed, prudently to discourage intercourse with foreign Indians, and to prevent such from settling among them. The deed was to be taken by the managers, in trust, for the subscribers. Any surplus money was to be expended for the benefit of the Indians, in building, fencing, stock or implements, or in providing schools. For the sake of preserving harmony and concord, membership in the Association was restricted to the Society of Friends.

No evidence has come to my knowledge that this Association, with such praiseworthy objects, ever went into operation. Neither in Smith's History of New Jersey, nor in any other record, do I find a notice of it. The project was probably found in its development to be of too great magnitude for private enterprise and that other important objects requiring governmental action ought to be connected with it. But the persons engaged in the work were not accustomed to fail in a good cause, and their generous plan, I have no doubt, foreshadowed and was merged in the action of the provincial government the ensuing year.

The efforts of the French to obtain a controlling power over North America, their victory over the English near Fort Duquesne and other points and their wide spread intrigues with the Indians, occasioned a general ferment among the various tribes, affecting portions of those residing in Pennsylvania and exciting anxiety and alarm even in Northern New Jersey. To ascertain and, as far as possible, to remove causes for dissatisfaction, commissioners were appointed to confer with the Indians. A Treaty was held at Crosswicks* early in 1756, at which several measures were discussed and mutually agreed upon, as likely to promote the general benefit of the English

*D. Brainard preached at the Indian village of Crossweeksung in 1745-6, and his labors were blessed by a remarkable awakening of the natives. He numbered his congregation March 26th, 1746, and found 130 old and young; 15 or 20 being absent. Some weeks later the whole body moved to some better lands they owned near Cranbury, that they might be more compact for worship and school, and attain better agricultural results.

and Indians. A law was passed in accordance with this agreement by the Legislature dated March 31st, 1757, restricting the sale of all intoxicating drinks to Indians, declaring void all their debts and pawns for strong drink, and all bargains any part of the consideration for which was strong drink*—forbidding their imprisonment for debt, and the setting of traps of steel or iron weighing more than three and a half pounds.† The sale of Indian lands was also forbidden but upon careful supervision and in prescribed forms, and on reasonable terms. Andrew Johnston, Richard Saltar, Charles Read, John Stevens and William Foster, Esqs., were appointed Commissioners to inquire into the Indian claims to lands and report to the Legislature. This act‡ was limited to two years, and during that time was to be read in every Court of Quarter Sessions in the Colony, thus insuring for it a wide publicity.

On the 21st, 22d and 23d of 2d month (February), 1758, another treaty was held at Crosswicks, whereof public and timely notice was given to the Indians, in which Governor Bernard and the Commissioners above named, with the addition of Jacob Spicer, represented the Colony, and Teedyuscung, King of the Delawares, living on the Susquehanna, and George Hopenyoke of the same place, and the Indians inhabiting New Jersey, or the major part of them, attended and delivered to the Commissioners a list of all the lands they claimed, twenty-five different tracts (some of them extensive and indefinite), and released to the Proprietors of the divisions of New Jersey and the purchasers under them, all lands not so claimed. They also executed a power of attorney to Thomas Störe, Moses Totami, Stephen Calvin, Isaac Stelle, and John Pompshire, Indian

* The yearly Meeting of Friends held at Burlington in 7th mo. 1704 directed, that "If any among us do sell, barter or exchange, directly or indirectly to the Indians, any Beer, Brandy or other spirits or strong liquors, it being contrary to y^e ancient care Friends have had of those poor ignorant heathen people and contrary to this meeting's testimony against it." "Such loose disorderly walkers" should be labored with, and if not reclaimed, testified against. This is an early testimony in opposition to the rum traffic.

† This was to prevent the destruction of deer.

‡ Nevill's Laws of N. J., Vol. II. p. 125.

natives, constituting them a committee and empowering them to enter into an agreement or deed of sale to the Commissioners of New Jersey.* I have seen an original letter from these five Indian attorneys, now in the possession of George J. Scattergood of Philadelphia, to "Friend Mr. Israel Pemberton," dated 8th March, 1758, two weeks only after their appointment. In good set form they state the facts of their case—the Crosswicks treaty, their own appointment, &c., and add "as we find we are not able to transact in deep things we are at *lost* what to do, and as we think there is no other way to know our just rights only by *sarching* the records and deeds, we desire an *oniest* friend to see *jestice don*, and which we might hope to obtain by your interposition and assistance." The counsel of this honorable friend and his associates probably was to ask for a specified tract of land for a residence, in lieu of their extensive, though uncertain and contested, claims of unsold territory. Such at least was their request at the next meeting, thus carrying out the idea of the "New Jersey Association" of the year before.

The Indian attorneys and a number of their prominent constituents, with several delegates from allied tribes in Pennsylvania who claimed some rights in the soil of New Jersey, met the Colonial Commissioners in conference at Burlington on the 9th of 8th month (August), 1758, and the Indians presented a proposition in writing, stating that they were desirous that a tract of land in the possession of Benjamin Springer, in the township of Evesham in the county of Burlington, should be purchased for the habitation of the Delaware Indians living south of the Raritan, for which they unanimously proposed and agreed to release all the rights of the Indians to lands in New Jersey, except the claim of Moses Totami, near the Raritan, and such lands as some of them held under English rights.

By a law passed three days afterward,† the Legislature authorized the Commissioners to carry this desire into effect by the purchase of

*For defraying the expenses of this three days' treaty of the Commissioners with the numerous attending Indians, the Legislature subsequently appropriated the sum of £27.12 5d, (\$73.65.)

†Allinson's Laws N. J., p. 220.

a convenient tract, "in order that the Indians may be gratified in this particular, and that they may have always in their view a lasting monument of the justice and tenderness of this colony towards them." £1,600 Proclamation money, was appropriated for the purpose of extinguishing the various Indian claims in the Province, excepting the right of hunting and of fishing. The payment for claims south of the Raritan was not to exceed one-half of the sum.

The law also provided "That the lands to be purchased for the Indians as aforesaid, shall not hereafter be subject to any tax." With a questionable morality, upon which, with all their faults, the present generation of legislators has improved, three lotteries were authorized to be drawn in 1759, '60 and '61, to raise the requisite sum of money, without burdening the inhabitants with added taxation. They were to be regulated as to blanks, prizes, deductions, &c., "as nearly as may be, as the public lotteries in the neighboring colonies." The province itself participated as an adventurer by assuming all the unsold tickets in each scheme, with the benefits or losses resulting therefrom. Though there was a statute against unauthorized lottery dealing, the Legislature still sanctioned this mode of raising funds *for beneficent purposes*, as for erecting a church, building a needful bridge, helping Princeton College, or enabling a popular citizen to liquidate his debts. It said to the gambling spirit of the times, "Thus far, no further, shalt thou go." But it is not surprising that the preamble of a very stringent enactment of a few years later acknowledges that the good "intentions of the Legislature in previous laws had been frustrated."

The proposed tract in Evesham appears to have been promptly purchased. The deed from Benjamin Springer and wife bears date August 29th, 1758.* The title is for 1038 acres bought of Benjamin Moore. and for three-fourths of two tracts, one of 886, and the other of 59 acres, bought of Richard Smith, amounting to 1983 acres, but "found to contain within their antient lines, on a more accurate and exact survey, 3044 acres;" showing an error of 1061 acres in the early measurements. One hundred acres were excepted and

*Lib. O. of Deeds, p. 394, Office of Secretary of State.

were to be run off at a designated place, leaving 2944 acres for the Indian homestead. £740 was paid to Benjamin Springer and £5 to his wife.

An indenture, now in the office of the Secretary of State, bearing date the 12th of September, 1758, was executed at Burlington by Thomas Store, Moses Totami, Stephen Calvin, Isaac Stelle and John Pomphshire, which recites the preliminary proceedings at Crosswicks, &c., and in consideration of the home purchased at Edge Pillock, conveyed to Francis Bernard, Capt. General and Governor, and to Andrew Johnston, Richard Saltar, Charles Read, John Stevens, William Foster and Jacob Spicer, Commissioners to settle Indian claims in New Jersey, all that part of the tract of land, called New Jersey, "Beginning at the mountain of Paoqualin where the same joins the Delaware River, thence down said river to the Ocean, along the sea shore at low water mark to the mouth of the Rariton, then up the middle of Rariton River to the falls of Laometung,* then on a strait course to the station first named," except the tract at Coaxin, settled on the Indians, and about four acres settled on Thomas Store, some lots held by Indians under English Rights, and the claim of Moses Totami on the south branch of the Raritan, and also excepting the right, so often referred to and so essential to the Indian, of hunting in all unenclosed grounds, and of fishing in all rivers and bays.

The deed was signed by the five Attorneys (Calvin and Pomphshire writing their own names and the others making marks), acknowledged before Judge Imlay, and witnessed by William Tennent and Robert Cumming. On the back of the deed is a memorandum dated Easton, 24th of October, 1758, acknowledging satisfaction, signed by Teedyuscung, Wonawalechon and Tapiskowothoun, witnessed by several Six Nation Chiefs and colonists.

Thus satisfactorily closed the causes for difference with the natives south of the Raritan. Arrangements were already in progress by Governor Bernard for holding a treaty with those north of that

*Elsewhere called Alamatung or Alamatunk, referred to in Allinson's Laws, 1759, as Allomatunck "in the Indian language." It was at the N. E. corner of Hunterdon County.

river and their Indian allies in Pennsylvania and New York. and at a conference held at Burlington on the 7th and 8th of 8th month (August), 1758, the Indian orators proposed to meet at the old council fire, "at the forks of the Delaware, the next full moon after this," alleging that if held on the eastern side of the river, "though they should speak loud, the distant nations could not hear on account of the roaring water between them." Gov. Bernard, who appears to have been sincerely desirous to effect a lasting peace with the Indians, made no objection to this fanciful reasoning, and assented to the proposition. A general conference was accordingly held at Easton, the minutes of which, so far as they related to New Jersey, with the principal speeches on both sides, and bearing dates from the 8th to the 26th of October, 1758, are published at large in Smith's History of New Jersey. The general pacification of the Indians was then a great object in all the neighboring colonies, and the Governor and Lieutenant Governor of Pennsylvania, with six members of the Council, a committee of the Legislature, and a number of citizens of Philadelphia, principally Friends,* whose presence was desired by the Indians, Governor Bernard and the Commissioners of New Jersey, and George Croghan, deputy and Indian agent from New York, participated in the proceedings. More than 500 Indians, nearly half of whom, however, were women and children, were in attendance, representing the Six Nations, the Delawares, Minisinks, Wapings, and various other tribes. The treaty resulted, as was hoped, in a better understanding between the parties, and a strengthening of the bonds of friendship. A confirmation deed of ceded lands in Pennsylvania was executed by the chiefs of the United Nations, and handed from Indian to Indian all around the house. The deed for New Jersey south of the Raritan was approved and confirmed, and a deed for all the remaining land in New Jersey was executed by the chiefs of the Munsies, Wapings and Pomptons, sixteen in number, and approved by chiefs of Six Nations. Some of these tribes had no actual claims to the lands of the Mun-

*Teedyuscung the previous year declared to the Governor of Pennsylvania he would not go to business unless the Quakers were present. Proud's Hist. Vol. II. p. 61 Appendix.

seys, &c., in New Jersey. Yet when the latter were pushed by the rapid ingress of settlers, they gradually relinquished their domains and removed to Pennsylvania. Being there allowed, perhaps invited, to share the territory of their relatives, they were in *tutelage* and acted on the advice of their "uncles."

The expressed boundary was as follows: "Beginning at the station point between the Provinces of New Jersey and New York at the northerly extremity of an Indian settlement lying on Delaware River, known as Casheitong, about 32 miles on a strait line from the mouth of Mackhackomack, near Coles' Fort, thence from Casheitong, on a line nearly South East, thro' Pinpack to the drowned lands, leaving most of them to the S.W.—thence crossing the N.E. end of Mount Eve, to the mouth of Tappan Creek * * at the North or Hudson's River, down said river, thro' the Narrows, to Sandy Hook, thence to the mouth of the river Rariton—thence up the same to the forks thereof, thence up the north branch to the falls of Alamatunk—then on a strait line to Poaqualin mountain, where it joins the Delaware River. thence up said river to Casheitong; which said lines from Sandy Hook to Paoqualin Mountain are the N.E. Boundaries of the tract granted by the Delaware Indians to Gov. Bernard, &c.—which grant, bearing date the 12th of September last, is hereby ratified and confirmed."* As a consideration for the relinquishment of the northern claims, Gov. Bernard paid to the Indians the sum of one thousand pieces of eight, to be divided according to their respective rights. Egohohoun, a Muncy or Minisink Indian, and Aquawaton, a Waping or Pompton, acknowledged on the back of the deed the receipt of £375.

Teedyuscung, King of the Delawares, requested for an aged and infirm Waping chief, the favor of a horse to carry him home. Tagashata, a Seneca, chief, made a similar request for himself, both of which were granted. Thomas King, an influential Oneida chief, also desired that a number of wagons might be sent as far as Wyoming, where they had left their canoes, to carry such as were not able to walk, and the goods which had been given them; also, that a

*The original deed is in the office of the Secretary of State.

supply of provisions might be put in the wagons, sufficient to serve them till they got to their respective habitations. He reminded Teedyuscung of his promise to return some white prisoners, which he ought to have performed, adding, "*To tell lies, does not become a great man ; a great man always keeps his word and performs his promises.*" With mutual expressions of good will, and resolutions to keep bright the chain of friendship, "the conferences were concluded with great satisfaction."*

No subsequent controversy arose with our red brethren, and at the treaty at Fort Stanwix in 1769,† attended by Governor Franklin, the Six Nations publicly acknowledged the repeated instances of the justice of the province, in bringing murderers to condign punishment, declared they had no claim whatever upon New Jersey, and in the most solemn manner conferred upon her the name Sagorig-wiyogstha—the Great Arbiter, or Doer of Justice.

Teedyuscung was a chief of such parts and influence, as to deserve a more extended notice. He was born near Trenton in 1705, but for many years resided in the Wyoming region, to which he appears to have been much attached. After the death of Tadame,‡ he was elected (1754) King of the Delawares. He keenly felt and fearlessly exposed on several occasions the wrongs to which his people were subjected by the cupidity of the whites, and thus incited the hostility of the Proprietary party in Pennsylvania. At length, on some improper conduct and menaces of a young man from Northampton, named Broadhead, he "was surprised into a war before he could think," and in his own expressive language. "he struck the English." On the promised redress of the grievances, he was soon pacified and heartily joined in efforts for a general peace. The Six

* Since writing this article I have had an opportunity to examine the minutes of the Trustees of the "Friendly Association," of Philadelphia, and have been struck with the wisdom and benevolence of their proceedings. The members who attended this treaty were authorized to expend to the amount of £500 for the benefit of the Indians.

† Gordon's History of N. J., p. 152.

‡ Tadame was probably the King of the Delawares, living on the Susquehanna, frequently referred to by Brainard in 1745.

Nations became jealous of his power and endeavored to degrade him at the Easton Treaty of 1758. His violent death in 1763 was attributed to them.

In a work entitled, "An Enquiry into the causes of the alienation of the Delawares and Shawanese from the British interest," published in London in 1759, it is said that Teedyuscung was chosen King by several tribes on the Susquehanna, on the commencement of the quarrel between England and France, and soon found himself at the head of a considerable body. A letter from a Philadelphian, dated December 11th, 1758 (quoted in the work, p. 183), says of the Easton Treaty of that year, "The business was shamefully delayed from day to day, which the minutes are calculated to screen, but it is well known to us who attended that the time was spent in attempting Teedyuscung's downfall, and silencing or contradicting the complaints he had made; but he is really more of a politician than any of his opponents, in or out of our Proprietary council, and if he could be kept sober might probably soon become Emperor of all the neighboring nations."

An anecdote published many years ago of Teedyuscung is too valuable to be lost. "One evening he was sitting at the fireside of a 'Friend.' Both of them were silently looking at the fire indulging their own reflections. At length the silence was broken by the Friend, who said, 'I will tell thee what I have been thinking of. I have been thinking of a rule delivered by the Author of the Christian religion, which, from its excellence, we call the *Golden Rule*.' 'Stop,' said Teedyuscung, 'don't praise it to me, but rather tell me what it is, and let me think for myself. I do not wish you to tell me of its excellence, tell me what it is.' 'It is for one man to do to another as he would have the other do to him.' 'That's impossible. It cannot be done,' Teedyuscung immediately replied. Silence again ensued. Teedyuscung lighted his pipe and walked about the room. In about a quarter of an hour he came to his friend with smiling countenance, and taking the pipe from his mouth, said, 'Brother, I have been thoughtful of what you told me. If the

*See Miner's Wyoming. p. 47.

Great Spirit that made man would give him *a new heart*, he could do as you say, but not else.' Thus the Indian found the only means by which man can fulfil his social duties."

In the volume above referred to, "An Enquiry," &c., (said to have been written by Charles Thompson, afterwards Secretary of Congress,) the grievances of the Indians are more fully stated than I have found elsewhere, yet with apparent truth and candor. One complaint made by the Six Nations at Lancaster in 1756, previously urged by Ohio Indians, and, according to Benjamin Chews' private minutes of the Easton Treaty of 1758, repeated there by Teedyuscung, was probably groundless—the hanging of an Indian chief in New Jersey for an *accidental* murder. Weequehelah, a Delaware Sachem, who in 1709 joined the provincial forces under General Nicholson for the reduction of Canada, having taken offence at the purchase from other Indians, by his neighbor, Captain John Leonard, of some Cedar swamp to which he laid claim, threatened to shoot him, which he accordingly did in the Spring of 1728, as Leonard was walking in the daytime in his own garden near South River. For this, though a wealthy and accomplished man, a large farmer, living in English style, a *slave-holder*, and "frequently dining with Governors and great men," he was, after a fair trial, condemned and executed.* Probably had the Sachem been privately murdered by the friends of Capt. Leonard and his house burned, the event would have been forgiven and forgotten. But the quiet examination of witnesses, the solemn judicial sentence, and the unimpassioned execution, were more terrible to the Indians, and were long brooded over. Other causes assigned for the Indian hostilities—the rapacity and evil lives of the rum traders, the treachery of some of the land bargains and the absorption of their hunting grounds, can not be denied.

Upon the Edge Pillock tract this remnant of the Lenni Lenape nation, now but about 100 in number, continued to reside for many years.† Their land was excellent for cultivation. They had a fine

*See Smith's History, p. 441.

†Is not this the first instance of an Indian settlement on a specified tract, by Government authority?

cedar swamp, and a water power and saw mill. They were contiguous to extensive hunting grounds in the Pine Barrens, Swamps and Forests, and within a day's journey of the sea coast, where wild fowl and shell fish were abundant. The rights of fishing and hunting as secured by the treaty were freely used, and also the traditional right of felling timber and cutting basket stuff,* mentioned in the conferences, but not referred to in the written agreements. A number of comfortable dwellings were put up by the Province. A meeting-house was built of logs, which continued as a place of worship after their removal. Stephen Calvin, an interpreter at the Crosswicks and Easton Treaties,† was a schoolmaster. His son Bartholomew (who was placed at Princeton College prior to the revolution through the influence of J. Brainerd), followed him in the occupation and had as many white as Indian scholars. My grandfather, Samuel Allinson, who frequently visited the settlement, considered him an excellent teacher, and collected money of his neighbors to purchase books for the school. But the civilization established was of a low order. Persistent industry was not general and they did not become a thriving agricultural people. The tribal fee of land quenches individual enterprise. On the 2d of September, 1762, they petitioned the Assembly, stating that "their provision, clothing, and nails for building the year they came to Brother-ton, amounted to £106, for which they were still in debt, and that

*Segughsonyout, or Thomas King, said at the Easton Treaty, "You deal hardly with us; you claim all the wild creatures and will not let us come upon your land to hunt after them. This is hard and has given us great offence. The cattle you raise are your own, but those which are wild are still ours or should be common to both, for when we sold the land we did not propose to deprive ourselves of hunting the wild deer or of using a stick of wood when we should have occasion."

Egohohoun, called also Egotchowen, said to Governor Bernard, "Brother, we are now thoroughly satisfied and we still retain a friendship for our brethren the English, and we desire that if we should come into your province, to see our old friends and should have occasion for the bark of a tree to cover a cabin, or a little refreshment, that we may not be denied, but be treated as brethren." Smith's History of N. J., p. 474.

†Smith, p. 458.

their mill was lately burned," praying that the Province would pay the bill, as they had had reason to expect. Five Indians were called in and heard, but the petition was referred to the next Session and not then called up. In 1796 the condition of the tribe was so unsatisfactory that Joseph Saltar, Josiah Foster and Thomas Hollinshead were appointed to take charge of the Indian tract, to lease out the same in such manner as to conduce to the benefit of the Indians, to pay the income to them or the value in necessities, to those most needing aid, and to render an account annually to the Burlington County Court of Common Pleas, which was authorized to remove the Commissioners on occasion, and to fill vacancies.

In the year 1801 the Brotherton or Edge Pillock Indians were invited by a kindred tribe, the Mauhekunnuks, at New Stockbridge, near Oneida lake, to "pack up their mat" and "come and eat out of their dish," which they said was large enough for them all, adding, with characteristic earnestness, that "their necks were stretched in looking toward the fireside of their *grandfather* till they were as long as Cranes."* Concluding to accept the invitation of their grandchildren, they applied to the Legislature for authority to dispose of their land, and by a law passed December 3d, 1801, William Saltar, William Stockton and Enoch Evans were appointed Commissioners to divide the tract into lots of not more than 100 acres, and to sell them at public sale, provided that three-fourths of the Indians were consenting. To ascertain this fact, James Ewing and John Beatty were appointed. These gentlemen reported to Governor Bloomfield March 20th, 1802, that three-fourths of the Indians had consented to the sale; that there were sixty-three adult Indians who had rights in the tract, of whom forty were present at Brotherton on the 15th of January, and the whole matter being explained to them, *thirty-eight* voluntarily signed the required order to sell; and that on the day of the date of the report, *eight* others met them at Trenton and signed the report. This, it will be observed, made but *forty-six* consenting Indians, being one and a quarter Indians, or *an adult and a*

*Charles Ellis in 1832 showed me the original letter of invitation, which can not now be found.

papoose less than the prescribed number; but the Governor accepted the report, and nine days after appointed Abraham Stockton and Charles Ellis as Commissioners, in place of William Saltar and Enoch Evans, who had resigned, ordering them to proceed with the sale. An advertisement in the Trenton Federalist, signed by the Commissioners, gave notice of the sale, which was to begin on the 10th of May, 1802. At this time the Edge Pillock tract was disposed of to twenty-two different purchasers, at prices, I have been told, ranging from two to five dollars per acre. The Commissioners accompanied their wards, between seventy and eighty in number, to New Stockbridge, where characteristic speeches of cordial welcome were made to the Delawares and to the Commissioners. The proceeds of the sale paid the expenses of the removal and an equitable contribution to the treasury of the Mauhekunnuks, the hospitable hosts. The balance was invested in U. S. securities for the benefit of the New Jersey Indians.* The united tribes continued together in New York for more than twenty years, and in 1824 purchased of the Menomonie Indians a large tract on the Fox River, between Winnebago Lake and Lake Michigan, to which they removed.†

*By an act of November 28th, 1822, the State Treasurer was authorized to receive of Charles Ellis certificates for \$3,551.23 in U. S. Stock, held by him as Trustee for the Indians, to settle a balance of \$230.71 due to him, and to pay to Bartholomew Calvin, &c., \$1,000 for the use of the Brotherton Indians. The Indians by their petition having reported that they expected to purchase land in Michigan territory for their future residence, the Governor was authorized to draw his warrant on the Treasurer for the balance of said stock or moneys, so that it should operate as a payment for said land. Some difficulty occurring, by an Act of December 23d, 1823, John Dow was appointed a special agent to proceed to the settlement at New Stockbridge, and cause the moneys to be appropriated as directed in the preceding act; or, if it could prudently be done, to pay to the Superintendents of Indian affairs in New York, to be by them faithfully applied to the designed end. Thus carefully did New Jersey fulfil her guardianship over the declining tribe.

†Senator F. T. Frelinghuysen kindly undertook to ascertain the subsequent career and present condition of the New Jersey Indians. The result has been received, as this paper goes to press, in a lucid history of the joint tribes and those subsequently confederated with them, and the parental care of the Gen-

In 1832 our old friends had diminished in their new home on Green Bay to about forty individuals, and cherishing in their hereditary poverty a recollection of their abandoned rights of fishing and hunting in New Jersey, deputed Bartholomew S. Calvin,* their oldest chief, the Edge Pillock schoolmaster of half a century before, to solicit from the Legislature of the State some compensation therefor. He presented the claim to a Joint Committee, which was eloquently addressed by Samuel L. Southard. Who said, "It was a proud fact in the history of New Jersey, that every foot of her soil had been obtained from the Indians by fair and voluntary purchase and transfer, a fact that no other State in the Union, not even the land that bears the name of Penn, can boast of."

A report was made in Calvin's favor and a bill was passed March 12th, 1832, appropriating \$2,000 (the sum named by himself), for an entire relinquishment of all Indian claims. His letter of thanks to the Legislature may fittingly close this essay :

"Bartholomew S. Calvin takes this method to return his thanks to both Houses of the Legislature, and especially to their Committees, for their very respectful attention to and candid examination of the Indian claims which he was delegated to present.

"The final act of official intercourse between the State of New Jersey and the Delaware Indians, who once owned nearly the whole

eral Government. This valuable document will be placed with the Historical Society for future reference. I can only here quote, with thanks to the Senator and to Edward P. Smith, the Commissioner for Indian affairs, the conclusion of the letter of the latter: "From the foregoing extracts I am led to conclude that the Delaware Indians referred to in Mr. Allinson's letter, removed with the Stockbridges and Munsees, with whom they confederated, west of the Mississippi in 1840; that they have become extinct, so far as refers to those who confederated with the Stockbridges of Kansas; that but few, if any, remain either with the Stockbridges in Showano County, Wisconsin, or with the Munsee or Chipewas in Franklin County, Kansas.

Yours Respectfully,

EDWARD P. SMITH,

Commissioner.

Hon. F. T. FRELINGHUYSEN,
U. S. Senate.

*His Indian name was Shawuskehung, or Wilted Grass.

of its territory, has now been consummated, in a manner which must rebound to the honor of this growing State, and, in all human probability, to the prolongation of the existence of a wasted yet grateful people. Upon this parting occasion, I feel it to be an incumbent duty to bear the feeble tribute of my praise to the high-toned justice, which in this instance, and, so far as I am acquainted, in all former time, has actuated the councils of this commonwealth in dealing with the aboriginal inhabitants.

"Not a drop of our blood have you spilled in battle*—not an acre of our land have you taken but by our consent. These facts speak for themselves and need no comment. They place the character of New Jersey in bold relief, a bright example to those States within whose territorial limits our brethren still remain. Nothing save benisons can fall upon her from the lips of a Lenni Lenappi.

"There may be some who would despise an Indian benediction; but when I return to my people and make known to them the result of my mission, the ear of the Great Sovereign of the Universe, which is still open to our cry, will be penetrated with our invocation of blessings upon the generous sons of New Jersey.

"To those gentlemen, members of the Legislature and others, who have evinced their kindness to me, I cannot refrain from paying the unsolicited tribute of my heartfelt thanks. Unable to return them any other compensation, I fervently pray that God will have them in His Holy keeping—will guide them in safety through the vicissitudes of this life, and ultimately, through the rich mercies of our Blessed Redeemer, receive them into the glorious entertainment of His Kingdom above."

*The enquiry was here made by a member, "Is this literally true?" Several speakers believed it to be so. It was stated that there were in the early days some murders of Whites and of Indians from private causes, a few skirmishes on the banks of the Hudson between the natives and white traders from New Amsterdam, and also on the Delaware, but no state of *war* ever existed between the English Colonists and the New Jersey Indians.

PROCEEDINGS
OF THE
New Jersey Historical Society.

SECOND SERIES.

VOL. IV.

1875.

No. 2.

NEWARK, May 21, 1875.

THE SOCIETY met in their rooms at 12 M. In the absence of the President, the First Vice President, Rev. SAMUEL L. HAMMILL, D.D., presided, assisted by Hon. WM. B. KINNEY, Second Vice President.

The minutes of the meeting in January were read by the Recording Secretary and approved.

The Corresponding Secretary submitted the correspondence since the last meeting. Among many others received were letters from Rev. R. K. Rodgers, D.D., in response to the resolutions passed at the January meeting, on his retiring from the Presidency; from Hon. Henry W. Green, LL.D., acknowledging his election to, and acceptance of the office; from several gentlemen accepting membership; from Mrs. A. G. Hubbell, of Philadelphia, asking for a copy of Fenwick's will, the original of which the Society received from her father, Col. Robert G. Johnson, of Salem; from the Historical Societies of New York, Delaware, Iowa, Maine, Rhode Island, Virginia and Georgia, Numismatic and Antiquarian Society of Philadelphia; United States Bureau of Education, and Harvard College Library, acknowledging the receipt of the Society's last publication; from Burlington N. J. Literary Association and Bureau of Education, with enquiries as to the extent and success of the Society's labors; from the Superintendent of Coast Survey; from Gen'l J. Watts Depeyster, of New York, Messrs. John Hone, of Dayton

Ohio, Henry Phillips, Jr., of Philadelphia, and Rev. J. F. Tuttle, D.D., of Indiana, accompanying donations for the library; from the Department of the Interior, Washington, referring to the Public Documents received by the Society from the Government; from Mr. S. C. Bruce, Philadelphia, relative to a design for a monument in commemoration of the Battle of Trenton, found among the papers of the late Col. C. G. Childs; from Mr. B. Aycrigg, of Passaic, detailing an incident connected with the death of Major André; from Mr. Charles H. Hart, of Philadelphia, and Hon. John Clement, of Haddonfield, referring to Revolutionary Documents said to be in the basement of the State House at Trenton; from Mr. J. M. Tower, of Jersey City, referring to autographs and other documents in his possession, connected with the Peace Conference of 1861; from Virginia Historical Society an "In Memoriam" of Thos. Hicks Wynne, its Corresponding Secretary; from Brevet Brig. Gen. J. H. Simpson, transmitting an original letter from DeWitt Clinton, relating to the Delaware and Raritan Canal; from Mr. Samuel Allinson, referring to some errors in Mr. Gifford's Paper on the Aborigines of New Jersey; from Mr. William Nelson, of Paterson, in relation to a projected "History of Roads and Bridges in Passaic County," with some specimen pages, and from various other parties on matters connected with the operations of the Society.

The Treasurer reported a balance in the Treasury of \$1,471 56.

The Committee on Publications reported the issue of another number of the "Proceedings," being the first of the fourth volume of the second series.

The Committee on the Library reported that the number of additions by donation since the last meeting had been 34 volumes, 163 pamphlets and a considerable number of miscellaneous manuscripts and newspapers. The names of the donors and the most valuable of the publications were specified in an accompanying list of Donations.

The interest awakened by the statements made at the last meeting, of the number and variety of the newspapers already collected, had induced the Committee to issue a circular addressed to newspaper publishers generally throughout the State, asking them to contribute

a copy of their respective Journals to be transmitted to the library yearly. Several had responded by sending their papers to the library as published, and from others, promises to co-operate in the way designated, had been received. It was hoped that this measure will result in securing files of all the prominent papers of the State.

The Manuscript Catalogue which was announced in the last report of the Committee, as having been begun, had been carried on to completion so far as the bound volumes are concerned, only requiring examination and verification to be ready for use. Considerable progress had also been made with the Catalogue of the Pamphlets, and its completion would be urged forward as rapidly as possible.

The Committee stated that the Manuscripts of the late Mr. Alfred Vail, of Morristown, so intimately connected with the discovery and introduction of the Electric Telegraph, had been deposited in the library; and so soon as they could be examined and arranged by the representatives of the family, would be open to the inspection of all interested in the subjects to which the documents refer. A letter was read by the Corresponding Secretary, which had been received from Mr. J. Cummings Vail, referring to the papers, and intimating an intention of soon arranging them so as to allow of their inspection.

The Committee regretted that the Board of Trade, with whom such pleasant associations had existed for some years, were about to vacate the rooms which they have occupied in common with the Society.

COL. SWORDS stated that the Chairman of the Library Committee having been prevented from attending the meeting, had requested him to read to the Society a letter which had been received from Mr. W. A. Whitehead, accompanying fifty copies of the revised and enlarged edition of his "East Jersey under the Proprietary Governments" bound to correspond with the other "Collections" of the Society, which Mr. W. wished might be used in making exchanges with kindred institutions. The letter was read and on motion of Col. Swords it was

Resolved, That the thanks of the Society be presented to Mr. William A. Whitehead, for his very liberal gift of fifty copies of the new edition of his History of "East Jersey under the Proprietary Governments," and that the

same be accepted to be only disposed of in effecting exchanges with other Societies.

The Committee on Statistics submitted the following report :

"In accordance with the authority conferred by the Society, January 21st, the Committee met at the rooms on February 10th, and agreed upon a bill providing for the collection of certain important statistics of agriculture, manufactures, mining and commerce, by the local assessors throughout the State, at the time they are taking the usual decennial State census of population; also providing that the Secretary of State shall tabulate and arrange the data thus obtained, together with comparisons of the corresponding data of the U. S. Census of 1870, and report the same to the next Legislature.

"This bill was placed in the hands of the Hon. John Hopper, (a life-member of this Society) Senator from Passaic County, and by him introduced in the Senate February 14th. It experienced the usual vicissitudes of public bills, and having passed the Senate, was among the very last to be acted upon in the Assembly, which body it passed at two o'clock in the morning of the last day of the session, and only then, through the untiring vigilance of the Hon. David Henry, member from Passaic County. The bill passed the Legislature precisely as it was drawn up by your Committee, and having been approved by the Governor, the Secretary of State promptly took measures to have the act carried out, in letter and spirit, and by May 1st sent out pamphlet copies of this and the previous census acts, with carefully prepared blanks, for the use and instruction of the officers charged with the execution of the law.

"In large cities it is desirable that special census takers be appointed, in lieu of or to assist the Assessors. This has been done in Paterson, where, also, the Board of Trade and the manufacturers in general have been specially appealed to, to aid in making the statistics of manufacturers as complete as possible.

"Your Committee would recommend that the members of the Society in the various parts of the State interest themselves in seeing that every facility be extended, by local Boards of Trade, municipal Boards, associations of farmers, manufacturers, officers of corporations, etc., for the taking of this census, which will enable us to present at the Centennial Exposition a complete exhibit of New Jer-

sey's material resources. The influence of the press should also be enlisted to the same end.

"Your Committee propose to suggest to the Centennial Board of the State, the best means to utilize the statistical data which it is hoped to accumulate under the act prepared by us, and to co-operate in this matter with that Board, with their consent, in order that a well-matured plan may be presented to the next Legislature. Perhaps it would be well for the Society to adopt a resolution specifically conferring on the Committee the authority to co-operate with any and all official bodies for this purpose.

"All of which is respectfully submitted. In behalf of the Committee."

"WILLIAM NELSON."

"NEWARK, N. J., May 20th, 1874."

The authority asked for by the Committee, was on motion conferred.

The Committee on Nominations submitted a favorable report upon a number of gentlemen, whose names had been submitted to them, and they were thereupon elected, and other nominations were received.

The Committee on the Centennial Exhibition, submitted the following report :

"The undersigned, a Committee appointed at the May meeting of 1874, to confer with similar Committees from other Historical Societies, and report a plan for united action in advancing the objects of the Centennial Exhibition, would report, that owing to various circumstances, they have not been able to correspond with other Societies on the subject, but it is understood that the necessity for action to ensure a result commensurate with the interest and importance of the object, has been recognized by the appointment of a Central Committee, charged with the duty of bringing about such action, and we would therefore offer the following resolution :

"*Resolved*, That the President, Chairman of the Executive Committee and Secretaries of this Society, be appointed a Committee to confer with any committee from other Historical Societies in relation to the best measures for advancing the interests of the Centennial Celebration to be held in Philadelphia in 1876.

"The Committee would ask to be discharged from further consideration of the subject."

The resolution was adopted and the Committee discharged.

DR. PENNINGTON, Chairman of the Executive Committee, stated that the Society had in its possession a portrait of one of the ancestors of Cortlandt Parker, Esq., which that gentleman was desirous of having returned to him, and as the member through whom it was received had no objection to the Society's making such a disposition of it, he offered the following resolution, which was adopted :

Resolved, That the portrait of William Skinner, Captain in the New Jersey forces during the French war, now in the possession of this Society, be returned to Cortlandt Parker, Esq., to whose family the same belonged when presented to the Society.

MR. WHITEHEAD drew the attention of members to a passage in Beauchamp Plantagenet's "Description of the the Province of New Albion," 1648, in which, when treating of the best locations for English settlements he mentions "Mount Ployden, the seat of the "Raritan King, on the north side of the Province twenty miles from "Sandbay sea, and ninety from the ocean, *next to Amara hill, the retired Paradise of the children of the Ethiopian Emperour*, a wonder, "for it is a square rock two miles compasse, 150 foot high, a wall-like precipice, a strait entrance, easily made invincible, where he "keeps two hundred for his guard, and under it is a flat valley, all "plain to plant and sow."

To verify the site from this description, had baffled the researches of all historians, although the Rev. George C. Schanck, in a paper read before the Society in September, 1851, had, in a measure, identified the mountain with what are known as the Round Mountains in the vicinity of White-house, on the Central Railroad of New Jersey ; still Mr. Schanck was obliged to acknowledge his inability to locate "Mount Ployden " in juxtaposition with "Amara Hill."

Mr. W. said that, "through the attention of Mr. Frederick Adams, of Orange, he had recently received an explanation of the passage, that seemed entirely satisfactory, derived from a very unexpected source. The clue was afforded by a passage in Milton's "Paradise Lost." In the 4th Book these lines are found :

"Nor where Abassin Kings their issue guard,
 Mount Amara, though this by some supposed
 True Paradise, under the Ethiop line,
 By Nilus' head enclosed with shining rock,
 A whole day's journey high." etc.

"To this passage, in an edition of Milton's works, edited in 1874 by David Masson, M.A., LL.D., is appended the following note :

"Amara, or Amhara, is a tract of high table-land in the middle of Abyssinia, where the Blue Nile has its head, and where in the old maps the Nile, as a whole, is made to rise. Being about half way between the Tropic of Cancer and the Equator, it may be said to be 'under the Ethiop line.' Here was the delightful mountain Amara, 'a day's journey high,' with its gardens and palaces, where, according to the tradition hinted at in the passage (used afterwards by Dr. Johnson in his *Rasselas*) the sons of the Abyssinian Emperors were educated in seclusion. Some thought Amara to have been the original Paradise."

"It was therefore very evident that Beauchamp Plantagenet, Esq., was conversant with the classical traditions of the East, some years before either Milton or Johnson wrote, and that his allusion to Mount Ployden as being "next" to Amara Hill has reference to its being "next" in fame or singularity, and not in geographical position. Mr. Adams deserved the thanks of our historians for having pointed out the explanation of the heretofore mystical passage."

MR. HENRY M. GRAVES, through Rev. Mr. Pingry, presented a four-inch cannon ball, dug up from the Springfield battle-field of 1780,

Rev. JAMES M. BRUEN, presented the original manuscript of the address for the benefit of the Greeks, which was delivered in Trinity Church, Newark, January, 1824, by William W. Miller; which has ever been regarded as a remarkably brilliant production of that distinguished member of the New Jersey Bar.

From Miss GERTRUDE OGDEN, was received the original commission of David Ogden, to be one of the Justices of the Supreme Court of New Jersey. under the Great Provincial Seal, dated May 18th, 1772.

HUGH H. BOWNE, Esq., presented an original Patent-right to James Cox, for some improvement in the manufacture of Leather, dated January 14th, 1800, bearing the signatures of John Adams, Timothy Pickering and Attorney General Lee.

Mr. JOSHUA G. PIERSON presented copies of the Reports of the Increase of the Paterson Manufactories, and on a proposed Railroad from Paterson to New York, with maps, printed in 1829.

A recess was then taken, during which the members partook of refreshments served in one of the Society's rooms.

On reassembling, Mr. WHITEHEAD stated that at the meeting of the Society in January, 1865, in connection with some resolutions passed relating to the death of the Hon. William L. Dayton, which had occurred on the 1st December previous, Messrs. J. P. Bradley, H. W. Green and Frederick T. Frelinghuysen were appointed a Committee to prepare a suitable Memorial of that distinguished Jerseyman, to be preserved in the archives of the Society. The duty having been assigned to Mr. Bradley, he prepared a paper and commenced to read it at the meeting of the Society in May following, but in consequence of indisposition, was unable to proceed, and the reading of the remainder was postponed to some subsequent meeting. Circumstances, however, had from time to time interfered therewith, until the present, and now Judge Bradley, not being able to meet with the Society, had devolved the duty of reading the paper upon him.

Mr. Whitehead then proceeded to read "A Memorial of the Life and Character of the Hon. William L. Dayton, late United States Minister to France," which was listened to with marked interest, receiving the highest commendations for the succinct, but exceedingly lucid exposition it afforded of the many important events in which Mr. Dayton bore so prominent a part.

On its conclusion, on motion of COL. SWORDS, it was

Resolved, That the Corresponding Secretary transmit to Justice Bradley, the thanks of the Society for the pleasure experienced while listening to his admirable portraiture of the life and character of our former associate, the Hon. William L. Dayton, and that he be requested to place a copy thereof at the disposal of the Committee on Publications."

The Society then on motion, adjourned to meet in Trenton on the third Thursday in January next, unless sooner called together by the Executive Committee.

Selections from Correspondence and Papers.

SUBMITTED MAY 20th, 1875.

FROM REV. RAVAUD K. RODGERS, D.D.

ATHENS GEO. Feb. 5th, 1875.

Wm. A. Whitehead, Esq.,

Corresponding Secretary,

New Jersey Historical Society,

DEAR SIR:—Your favor of January 22d was duly received. When I read it, "my eye affected my heart." I feel grateful to you and through you to the members of the Society, for the very kind interest which it is manifest was taken in me. I was very much gratified to find that the Hon. Henry W. Green was chosen to fill the chair. He is the right man, in the right place, and I cannot but think that he ought to have been placed there two years since.

I wish it to be very distinctly understood, that although it was plainly my duty to leave New Jersey and abide here, that I lose none of my interest in the Historical Society of *our* time honored State, and if I can at this distance do anything to promote its welfare, I will not be backward.

Present my best respects to our Newark friends, and accept of my assurances of my continued esteem.

From yours very truly,

R. K. RODGERS.

FROM HON. HENRY W. GREEN, LL.D.

TRENTON, Jan. 25th, 1875.

Wm. A. Whitehead, Esq.,

Corresponding Secretary,

New Jersey Historical Society,

DEAR SIR:—Yours of the 22d inst., notifying me of my election,

as President of The New Jersey Historical Society, for the ensuing year, was duly received.

The infirm state of my health has for a long time prevented my attendance upon the meetings of the Society, and there is, at my age, no probability of its improvement. My first impulse was therefore to decline the office. But since the receipt of your letter,
* * * I have concluded to accept the office * * *.

Very Respectfully Yours,

HENRY W. GREEN.

FROM BREVET BRIG. GEN'L J. HERVEY SIMPSON, U. S. A.

ST. LOUIS, Mo., Jan. 27th, 1875.

Wm. A. Whitehead, Esq.,

Corresponding Secretary,

New Jersey Historical Society,

DEAR SIR:—I have just received your letter of the 22d inst., informing me of my election as Corresponding member of the New Jersey Historical Society. I feel honored by this election, coming as it does from the Historical Society of my native state, and it will give me pleasure to do all I can towards promoting the objects of the Society.

Very Respectfully,

J. HERVEY SIMPSON,

Col. of Engineers and Brevet Brig. Gen'l U. S. A.

FROM MR. SAMUEL ALLINSON.

YARDVILLE, Feb. 9th, 1875.

Wm. A. Whitehead, Esq.,

Corresponding Secretary,

New Jersey Historical Society,

DEAR SIR:—I have to thank thee for thy considerate kindness in sending me a copy of A. Gifford's article on the Aborigines of New Jersey. Though a rambling essay it is quite interesting. He says

£1000 was the price paid at the Easton Treaty for the Indian claims in Northern New Jersey. The history says Gov. B. offered \$800, and at Tom King's request made it \$1,000, and the actual receipt in the secretary's office is for "£375." Again he says, "This year (1758) completed the exodus of the Delawares from New Jersey and Pennsylvania to the country, west of the Alleghanies leaving only about 150 of the Minsees in our eastern section." This conveys quite a wrong impression. He seems to admit p. 192 "that the natives of New Jersey united with the enemy in 1756." I have seen no proof of this, though a few Indians were missing and possibly joined Teedyuscung when he "struck" Pennsylvania in '54 or '55. * * *

Thy obliged friend,

SAMUEL ALLINSON.

FROM BREVET BRIG. GEN'L J. HERVEY SIMPSON, U. S. A.

St. Louis, March 29th, 1875.

Wm. A. Whitehead, Esq.,

Corresponding Secretary,

New Jersey Historical Society,

DEAR SIR:—Enclosed, I send you an original letter from Gov. DeWitt Clinton, the projector of the great "New York and Erie Canal," dated Albany, January 22d, 1828, to my father, the late Judge John N. Simpson, of New Brunswick, New Jersey, on "the transcendent importance (to use the Governor's language), of a navigable connection between the Bays of New York and Delaware." This letter it seems was written in reply to one from my father, setting forth the great benefits to be derived from such a connection, and doubtless also advocating that the Canal be undertaken and owned by the state. I regret that a copy of this letter has not been preserved, so far as I am aware, for I doubt not, that the well known study given by my father to this subject for the twelve years previously, first as a member of the legislature of New Jersey, and, afterwards, as a private citizen, enabled him to present the subject to Governor Clinton in a light, and with a cogency of argument and

statistics, that would add doubly to the value of the correspondence, and make it still more interesting as a matter for Historical record.

"The Delaware and Raritan Canal," was the great project of my father's life and ambition, and to him more than to any other citizen, do I believe the credit to be due, of bringing this improvement, by his official acts, in the legislature, and presentation of facts and statistics through the press, to the notice of the public, in such a manner as to make it a *fait accompli*.

It is an interesting fact, and one which shows my father's sagacity, that he always asserted that the income from the Canal would exceed that to be derived from any railroad which might be built between the same termini; and this, I am assured, is now actually the case.

As the letter is quite dim from age, I also send you a faithful copy.

Very respectfully,

J. HERVEY SIMPSON,

Col. Engineers and Brevet Brig. Gen'l U. S. A.

LETTER FROM

DEWITT CLINTON TO JOHN N. SIMPSON,

OF NEW BRUNSWICK.

Received from Brevet Brig. Gen'l J. H. Simpson.

ALBANY, January 22d, 1828.

SIR:—I was honored with your interesting letter of the 8th instant, to which I should have paid immediate attention, had I not been under a great pressure of official business, and now my time will only permit a slight view of the subjects which you have presented to my consideration; and I hope that this communication will reach you seasonably and operate favorably for the praiseworthy objects which you have in view.

As to the transcendant importance of a navigable connexion,

between the Bays of New York and Delaware, there cannot be a scintilla of doubt; and when it is considered that this communication will be extended to the Bay of Chesapeake by the Chesapeake and Delaware Canal, and that the whole will embrace within its influence, the Hudson, the Delaware, the Susquehannah and the Rivers flowing into them and the Chesapeake Bay, the advantages of the Canal which you contemplate from the Delaware to the Raritan must be palpable and incalculable. It is well known that the enterprising spirit, which distinguishes our national character, is limited only by the realities or prospects of profitable adventure. Abroad it is witnessed in every region however remote or secluded; at home, nothing escapes its scrutiny or communion. Wherever a market can be found—wherever an interchange of benefits can be had, wherever a facile communication can be obtained, you will see the products of the soil, of the mines and of the forests—the fabrics of manufactures and the importations of external commerce. In July 1826, I passed through a remote part of this State bordering on the Susquehannah, and a trader there, availing himself of a rise of water in a small stream, had just returned from conveying a raft of lumber to the City of Washington, with ample profits on the sales, and at a distance of seven hundred miles. A few weeks afterwards, I was informed at Olean, one of the Head waters of the Allegany, that it was not uncommon to convey from that place pressed hay in arks to Natches, and lumber to New Orleans. The operation of this same spirit will be forcibly and liberally experienced, when the great markets of New York, Philadelphia and Baltimore are thrown open to the access of a vast population, conveying such immense regions, as will be comprehended by these Canals and the natural waters communicating with them. To doubt on this subject would exhibit a scepticism approaching dementation.

I perceive that it is proposed to make the main trunk of the Delaware and Raritan Canal forty miles long, sixty feet wide at the top, sixty feet deep; that the entire lockage will be about fifty feet on each side of the summit level, and that it is to be supplied by a navigable feeder of twenty-five or thirty miles long, thirty feet wide at the surface, and from four and a half to five feet deep.

This plan is a judicious one. The main Canal will be susceptible of sloop navigation, and the increased width and depth beyond those usually adopted, will render the transit of vessels more easy and rapid.

This work can be made without any great physical difficulty. The cost will not exceed \$1,200,000, and no doubt a loan can be obtained for that purpose by your State, at an interest of five per cent. I am decidedly of opinion that it ought to be undertaken and owned by the State. The financial inducements to this measure are as obvious as those which affect the other cardinal interests of the community.

This Canal including its feeder, will be about the same extent as the Champlain Canal, and it is a very liberal concession in favor of the latter to say that the income will be about the same; the expense of superintendence and repairs will probably be less, and its increase of revenue will undoubtedly be more rapid. The interest of the loan to effect it will be sixty thousand dollars; the proceeds of the Champlain Canal for the last year were \$85,000 dollars, and its progressive income has been more than ten per cent. per annum. The avails of your canal will consequently in a few years extinguish the debt, when in all probability the State will derive a clear annual revenue of a quarter of a million of dollars, and when we connect this consideration, the establishment of town and villages, the creation of a dense population, and the acquisition of valuable home markets in the vicinity, and along the whole line of the Canal, there ought to be no hesitancy about acting promptly and decidedly in favor of a measure so abounding with benefits.

I am very respectfully your most obedient servant,

DEWITT CLINTON.

JOHN N. SIMPSON, Esq.,

New Brunswick, New Jersey.

A true copy of the original, presented to the New Jersey Historical Society by

J. HERVEY SIMPSON.

Col. of Engineers and Brevet Brig. Gen'l U. S. A.

Donations

ANNOUNCED MAY 20th, 1875.

From the Grand Lodge of New Jersey.—Digest of the Laws of the Grand Lodge and Grand Encampment of New Jersey, and Journal of proceedings, 1833 to 1874 inclusive. 5 Vols.

From Harvard College.—49th Annual report of the President, 1873, 1874.

From Aaron Matthews.—Account of the malignant fever lately prevalent in the city of New York by James Hardie, A. M. New York, 1799.—Funeral sermon on the death of President Washington, by Alexander Macwhorter, D.D. Newark, N. J., 1800; and other valuable papers.

From the United States Patent Office.—The official Gazette, vol. 7, Nos. 1 to 17 inclusive; Vol. 2 complete; No 8 of Vol. 3; Nos. 6 and 12 of Vol. 6. General Index, 1872. Index to Decisions, Titles, Etc.

From T. P. Bayes.—Portfolio of New England Society of Orange, containing prints of the Valley Oak; the Hillyer Elm; the Harrison Buttonwood, with letter press descriptions.

From George H. Bruen.—The volume of the writings of Bishop Burnett, brought from England by William Davis, minister of the Gospel, who died September 16th, 1715.

From Harmon C. Westervelt.—Georgetown Courier, containing articles on "The Printing Press, &c., connected with the city of New York from their earliest stages to more recent times."

From F. T. Frelinghuysen.—Self government in Louisiana, speech in Senate, U. S., January, 1875.

From Dr. Benjamin B. Aycrigg.—Simcoes Military Journal, during American Revolution. New York, 1844. Large paper copy.

From Edwin Salter.—Washington Chronicle, containing an article on Potomac River.

From Henry Congar.—Semi-Centennial Discourse on Third Presbyterian Church, Newark, N. J., June 14th, 1874, by E. R. Craven,

D.D.—Lists of emigrants to America, 1600 to 1700 by John Camden Hotten. 1 Vol., 8vo.

From Robert S. Swords.—Municipal Register of Bridgeport Conn. 1873.—Fifth Annual Report of the Trade and Commerce of Peoria, 1874.—Proceedings of the National Convention of the American Cheap Transportation Association, Richmond, 1874.—Annual Report of the Chamber of Commerce of New York, 1873, '74.—Report on the Canals of New York by Committee of the Chamber of Commerce of New York, 1875.—Annual Report of the Delaware and Hudson Canal Company, 1874.

From Amos H. Searfoss.—Proceedings of the Grand Lodge of New Jersey, 1841, to 1856.—The Young Millwright and Miller's Guide in five parts by Oliver Evans, Philadelphia, 1795.

From W. P. Garrison.—Constitution and By-laws of the New England Society of Orange, N. J. Sixth Edition, 1874.

From the Authors.—Address before the Reformed Church, Bethlehem, Pa., by Rev. Joseph H. Dubbs, October, 1874.—Oration of Henry Annitt Brown, on the one hundredth Anniversary of the meeting of Congress in Carpenter's Hall, 1875.

From William A. Whitehead.—Volume of the Newark Daily Advertiser, 1874.

From John Mix.—"An Universal History of Arts and Sciences," compiled, 1741. Vol., A. to G.

From John Horn.—Original grant from the Proprietors of East Jersey to William Pinhorne for 500 acres on the Raritan River, dated March 25th, 1698.

From the U. S. Bureau of Education.—Annual report, 1873.

From William B. Mott.—Brief history of Christ Church, Shrewsbury, New Jersey.

From Daniel O. Scott.—The Royal Magazine or Gentlemen's Monthly Companion,—and others, 1766, to 1776.—A Key to the Scripture Character of Jesus Christ, London, 1784.—Sermon by Samuel Miller, A. M., before New York Missionary Society, 1802.—The Traders Sure Guide, by William Leyburn, London, 1741.

From Eugene A. Smith.—Geological Survey of Alabama, 1874.

From Rev. Daniel Leach.—Annual report of the School Committee of Providence, Rhode Island, 1874.

From Samuel C. Perkins.—Proceedings at the laying of the corner stone of the New Public Buildings in Pennsylvania Square, Philadelphia, July 4th, 1874.

From Rev. Joseph F. Tuttle.—Geological Survey of the State of Indiana, 1873.—Sermons, Inaugural and other addresses. 16 Pamphlets.

From ———. Lay Evangelism, a paper read before the Presbyterian ministerial association of Cinn. by R. L. Stanton, D.D., April 19th, 1875.—Maryland not a Roman Catholic Colony, by E. D. N. Mineapolis, 1875.—Oration by John D. Gardiner, Roxbury, New Jersey, July 4th, 1807.

From the Association.—First Report of the Emlen Institution, for the benefit of children of African and Indian descent, Phil. 1875.

From Dr. Samuel A. Green.—Annual Reports of schools, charitable and other societies in Massachusetts. 89 Pamphlets.

From the Societies.—Proceedings of the New England Historic and Genealogical Society, January and April, 1875.

The Wisconsin Historical Society, January 1875.

The American Philosophical Society, June to December, 1874.
Iowa Historical Society, the Annals of Iowa, 1874.

The American Antiquarian Society, 1874.

Bulletin of the Essex Institute. Vol. 6. Nos. 9, 10, 11, 12
Vol. 7. Nos. 1, 2, 3. Essex Historical Collections, Vol. XIII,
January, 1875.

The New York Genealogical and Biographical Society Record.
Vol. 2 and Nos. 1, 2. Vol. 6.

From New Jersey State Agricultural Society.—Annual Report, 1873.

From Rev. Cortlandt Whitehead.—The Missionary Manual and Directory of the Moravian Church, 1875.

From the Publishers:—Consecutive Numbers of The Weekly State Gazette. Newark Manufacturer. The Centennial. Boston Herald, April 17th.

In response to the circular issued by the Library Committee.—Consecutive numbers of the Princeton Press; National Standard, Salem; Passaic City Herald; Hackettstown Herald; Monmouth Democrat, Vols. 40 and 41, 1873, 1874; Orange Journal; The New Jersey Herald and Sussex County Democrat.

- From Col. Thomas F. De Voe.*—Three years struggle with municipal misrule, report of A. H. Green, Comptroller, New York, February 1875.—Celebration by the Tammany Society, July 4th, 1870.—The History of Caranthus the first Sailor King of England by J. W. Depeyster, 1858.—The Cultivator. Vols., 5 and 10.
- From Rev. Marshall B. Smith.*—Lossing's Washington and the American Revolution. 3 Vols., 8 vo.
- From William Plume.*—New York American, 1831.—Goldsmith's England, 1806, and 3 other volumes.
- From State Treasurer.*—Laws of New Jersey, 1873, 1874.
- From Beach Vanderpool.*—Report of Commissioners to select a site, and build an asylum for the Insane to Legislature, 1872, '73 '74, with colored print of the building.
- From A. Q. Keasbey.*—From the Hudson to the St. John's, 1874. 1 Vol. 8vo.
- From Gilbert Mollison.*—New York Observer, 1831, '32, '33, '34. 2 Vols.
- From Henry Phillips, Jr.*—Brigade Orders, 1st Regiment New Jersey Militia, 1793, 1796, two Broad-sides.—Bond, Samuel Tomlin and William Tomlin to Alexander Randall, Dec. 20th, 1773.
- From Robert Clark & Co.*—Eighth Re-union; Society of the Army of the Cumberland, September, 1874.
- From the Mobile Board of Trade.*—Alabama Manual and Statistical Register for 1875.
- From Joseph Black.*—Book of Common Prayer, 1690, Cincinnati 1859 by Charles Cist.—Sermons by Alexander Macwhorter, D.D. Newark, 1803. 2 Vols. 8vo.
- From Robert Clark & Co.*—Our barren lands; the interior of the of the United States, by Gen. W. B. Hazen, 1875.—Bibliotheca Americana.
- From the Publishers.*—The American Biblioplist, February and April.—American Journal of Education, April and May 1875.—Old and New, January, 1875. Vol. XI, No. 1.
- From C. D. Bradlee.*—In memoriam, Rev. James Walker, LL.D., ex-President of Harvard College, by C. D. Bradlee, 1875.
- From the Association.*—In memoriam, Our Heroic Dead, Licking County's gallant Soldiers, 1874.

Resident Members Elected

MAY 20th, 1875.

James M. Baldwin, *Paterson*.
 John S. Barkalow, "
 Joseph D. Bedle, *Jersey City*.
 John Hart Brewer, *Trenton*.
 John J. Brown, *Paterson*.
 A. Gibbs Campbell, "
 Edward L. Campbell, *Trenton*.
 Henry R. Cannon, M.D., *Elizabeth*.
 L. L. Carlisle, *Newark*.
 John J. Craven, M.D., *Jersey City*.
 George S. Duryee, *Newark*.
 Edward W. Evans, *Trenton*.
 Garret A. Hobart, *Paterson*.
 Robert J. Hopper, "
 John P. Hutchinson, *Bordentown*.
 William O. McDowell, *Boonton*.
 David M. Meeker, *Newark*.
 William Pennington, *Paterson*.
 Edward D. Pierson, *Orange*.
 Isaac F. Richey, *Trenton*.
 James H. Rogers, *Paterson*.
 W. W. Snyder, *Orange*.
 John H. Stewart, *Trenton*.
 John Swinburne, *Paterson*.
 Thomas Terrill, M.D., *Elizabeth*.
 Rev. F. F. Wilson, *Boonton*.
 Isaac Van Wagoner, *Paterson*.
 Frederic Vinton, *Princeton*.

HONORARY MEMBERS.

Rev. Howard Malcolm, D.D., *Philadelphia*.
 James Ross Snowden, "

A MEMORIAL
OF
THE LIFE AND CHARACTER
OF
HON. WILLIAM L. DAYTON,

Late U. S. Minister to France.

BY JOSEPH P. BRADLEY, ESQ.

Prepared in conformity with a Resolution of the New Jersey Historical Society.

On January 19th, 1865, at a meeting of the New Jersey Historical Society, the following preamble and resolutions were adopted :

WHEREAS, Since the last meeting of the Society, the country has been called to mourn the loss of its able representative at the Court of France, the Hon. WILLIAM L. DAYTON, long a member and officer of this Society, a ready and cheerful promoter of its objects, and at the time of his departure on his mission, one of its Vice Presidents ; therefore

Resolved, That this Society has to lament, in the death of the Hon. William L. Dayton, the loss of one whose place at the Bar, in the Senate, in the Cabinet, and in the recollections of Jerseymen is left vacant, and cannot soon be filled.

Resolved, That we deeply participate in the universal regret at his sudden and untimely decease, and that we sincerely sympathize with his family in their great and sore bereavement.

Resolved, That the character and services of Mr. Dayton as a distinguished and eminent Jerseyman, long occupying a large space in the public eye, are entitled to more than a mere passing tribute at the hands of this Society and his native State; and that a Committee be appointed to procure, if practicable, the preparation of some permanent and fitting memorial of his career.

The Chair appointed as the Committee referred to in the last resolution, Messrs. J. P. Bradley, Henry W. Green, and Frederick T. Frelinghuysen.

On the 18th May, 1865, Mr. Bradley submitted to the Society the following paper.

MEMORIAL.

WILLIAM LEWIS DAYTON, late Minister Plenipotentiary of the United States to France, departed this life, suddenly at Paris, on the first day of December, 1864. He not only held an eminent official position at the time of his death, but he was a distinguished citizen of the United States, and a beloved and honored son of New Jersey. As such, and as a member of this Society, of long and honored standing, it is highly proper that some appropriate memorial of his life and services, should be recorded in our proceedings.

His own remarks made in this Society some years ago, are proper to remember now.

The Committee on biographies had made a report expressing some disappointment at the little success which had attended their applications to the descendants of distinguished Jerseymen for such sketches of their lives as the private or family papers might enable them to furnish, Mr. Dayton, in a few remarks made on the occasion, alluded to the importance to the State of securing authentic information respecting those whose names and deeds were indissolubly connected with her history. No people, he said, could expect to have their history written impartially and well by strangers, and not until Jerseymen exert themselves more, could they expect to be relieved from the injurious efforts of such authorship. Since then, he has himself become one of those whose name and deeds are indissolubly connected with the history of New Jersey; and it is the duty of this Society, in some way, to preserve a memorial of his career.

Mr. Dayton was born at Baskingridge, in Somerset County, New Jersey, on the 17th day of February, A.D., 1807. He was consequently, nearly fifty-eight years of age at the time of his death. Those fifty-eight years can hardly be surpassed in the world's history by any period of equal length in whatever appertains to the development of the material interests of society, and the advance-

ment and elevation of the people. During this period the steam-boat, the railroad, the locomotive, the telegraph, the photograph and the penny press became powers under whose influence the civilized world has made such strides in material and political progress, that we seem to live in a new and different era compared with that which subsisted at the present century. The questioning and energetic spirit of the present age, imparts itself more or less to all who live in it. And to self-reliant and powerful minds like that of William L. Dayton, it furnishes a stimulus which almost infallibly urges them on to distinction and usefulness.

Mr. Dayton was just twenty years the junior of his distinguished fellow townsman, the Hon. Samuel L. Southard, and his mother, whose maiden name was Lewis, was a cousin of that distinguished Jerseyman. Both of them bore the maternal surname in their own name, and quite a remarkable parallel existed between their respective careers. Both being natives of Baskingridge, they received their early training in its celebrated school, Mr. Southard, under its founder, Dr. Finley, and Mr. Dayton under his successor, Dr. Brownlee. Both pursued their more advanced studies in the College of New Jersey, at Princeton, Mr. Southard graduating at the age of seventeen, and Mr. Dayton at eighteen. Both were admitted to the bar of New Jersey as attorneys at about the same age, Mr. Southard at twenty-four, Mr. Dayton at twenty-three, (the latter in the term of May, 1830); and both took the degree of Counsellor, as soon as their three years of probation as attorneys had expired. They both moved from their native county to commence the practice of law, and were both elected to the State Legislature, from the counties of their adoption, Mr. Southard being sent to the House of Assembly by the County of Hunterdon, at the age of twenty-eight; and Mr. Dayton to the Legislative Council by the County of Monmouth, at the age of thirty; and both were appointed to the bench of the Supreme Court during the first year of their legislative terms. They were, afterwards, both elected to the Senate of the United States, Mr. Southard at the age of thirty-four, Mr. Dayton at that of thirty-five; and both were afterwards appointed to the office of Attorney General of New Jersey. If Mr. Dayton did not, like Mr. Southard, become a cabinet minister, he became instead Minister

Plenipotentiary to one of the first governments of Europe, in difficult times, which required the performance of duties quite as arduous and responsible. Finally, they both died in the full prime of mature life—Mr. Southard at the age of fifty-five, and Mr. Dayton at fifty-seven; and during their respective careers both stood out with striking distinctness, as the most marked and eminent men of their native State.

Perhaps Mr. Dayton was sometimes conscious of this singular parallelism of destinies; perhaps it often awakened his ambition for honorable distinction, and stimulated his naturally sluggish energies to loftier exertions, more worthy of his great abilities, than he would otherwise have made. Example is a rare preacher; and nothing so tends to *create* great men in a nation or a community, as to have the example of great men to emulate, and their talents to grapple with in the struggle of honorable contest.

His early and rapid success in life, makes us think that he may also have been conscious of the shortness of life and of the necessity of working well while the day lasts, in order to accomplish any thing good or great. He may have felt that what he had to do he must do with all his might. This thought is beautifully and impressively expressed in his address before the Whig and Clisophic Societies in September, 1843. He then said to the young men of his Alma Mater:

“Wait not for the strength of coming years. Experience asks no delay Now, every day and hour, is the time for effort. The intellect of age is surest; but, strange as it may seem, some of the grandest reaches of human thought have been the efforts of youth. Sir Isaac Newton has perhaps enlarged the sphere of human knowledge beyond all others. Fancy paints him a sage, as venerable for years as for wisdom. It is all a fancy sketch. His grandest discoveries were the efforts of his youth; he did little in scientific discovery after his meridian. The ground-work was laid before he was twenty-three. * * The measurement of time by the oscillation of the pendulum was the discovery of Gallileo before he had attained his twentieth year. And although not maturing till late in life, we find him at the age of twenty-four in the mathematical chair of Pisa. * * Alexander the Great died in his thirty-third year; and his famed lament, so often used to point a moral, tells what he had done. There is another of our own era, who conquered and destroyed more than Alexander ever knew. Yet it was in all the freshness of youth that he stood at the foot of the Alps and pointed his ill-fed, ill-clad followers to their frozen summit. There is a moral sublimity in the unwavering confidence—the

stern self-reliance of *this man* and his emphatic order, On! Over mountains covered with everlasting snows; amidst avalanches and glaciers; through the wild gorges between the Alps and the Apennines, self-sustained, and self-relying he led his followers on. * * But it is not in the field alone, but in the cabinet, that our own era furnishes illustrations in point. Who among the statesmen of the old world has left a brighter name than William Pitt? Who in the new than Alexander Hamilton? Addison had distinguished himself for correctness of style and elegance of diction at the early age of twenty-one. Pope's incomparable essay upon criticism was the production of a youth scarcely twenty."

When this was spoken he was already a member of the United States Senate, though only thirty-six years of age. Some of his friends, disinterested or otherwise, had expressed the fear that his progress was too rapid for his own permanent advantage. These words of his may be regarded as his own formal defence or apology for his early advancement.

Mr. Dayton's father was not wealthy. Although a man of considerable character and intelligence, he was a plain mechanic, and had to exert himself strenuously to give his children an education—a duty which was honorably and faithfully discharged; two of his sons being trained to the bar, and a third being educated as a physician. We are not surprised, therefore, that his son William, after leaving College, devoted a portion of his time to teaching school at Pluckamin, as a means of replenishing his resources whilst pursuing his professional studies. He studied law in the office of Hon. Peter D. Vroom, then residing at Somerville; but the interruptions to which he was subjected delayed his admission to the bar till May term, 1830, five years after he had taken his academical degree. The general impression made by him at this period was, that his talents were less brilliant than solid; and that by his mental constitution, though capable of much energy and power when roused to exertion, he was rather indolent and sluggish, than alert and active. No doubt the cause of this impression was the fact that Mr. Dayton was always more of a thinker than a mere student of books, and like Patrick Henry, was making more progress in his studies whilst musing with himself along the trout stream, or the fowling range, than in the dusty office, surrounded by the more dusty books. He paid sufficient attention to the latter, however, to lay in a sound stock of

common law learning and legal principles, which he ever wielded with readiness and tact in the conduct or consideration of any cause in which he was engaged.

Mr. Dayton never became, or made any pretensions to the character of a *legal scholar*—a class of lawyers who are often more learned than sound, and more knowing than safe. They will tell you about all the obscure and recondite cases which have been decided on any particular point; what this judge asserted, and what that judge doubted; and yet be unable themselves to form any sound and definite conclusion on the subject—any conclusion for themselves or their clients to adopt as a rule. They will still doubt and hesitate, and fortify themselves with so many “ifs,” and “ands,” and “buts,” that they only “darken counsel by words without knowledge,” and leave those dependent upon them for advice, in greater doubt and distress than before. Or, if they happen to be of a positive disposition, ever ready to give their opinion at a breath, they are as apt to be wrong as right.

Great learning and great breadth of reading are not by any means to be despised; and if there is enough power of mental digestion to assimilate it, and make it contribute to real knowledge and depth, it is a great blessing; but if it burdens and overloads the brain, the reading had better be more limited, and better understood.

The law is a science of principles, by which civil society is regulated and held together, by which right is eliminated and enforced, and wrong is detected and punished. Unless these principles are drawn from the books which a student reads, and deposited in his mind and heart, his much reading will be but a dry and unprofitable business. On the contrary, if these principles are discovered *beneath* the dry husks of the text books and reports, if they are extracted, mastered and retained, it will not be so much the number of the books studied, as the success with which this digesting and assimilating process is pursued in studying them, which will make the great and successful lawyer.

It is precisely in this respect that Mr. Dayton was a profitable and successful student of the law. He had a large mind and strong common sense, which always led him instinctively to search for and seize the leading and governing principle which underlay a book or

case, studied or referred to, or a cause to be argued or tried. This trait characterized his reading and studies whilst a student at law, and his practice as a lawyer after he came to the bar. In the argument of his causes he always stood upon some broad general principle, or fundamental and striking view of his case; he could not stoop to mere technicalities.

The same characteristics distinguished him as a Judge. There was nothing he so much abhorred as to decide a cause on narrow precedents or minute technical points. This arose from his breadth of mind and great good sense. Strong, sound sense was the basis and most marked feature of his intellectual character.

His estimate of general principles as comprising the vital substance of the law, is well expressed in the address to which reference has been made.

"The law," says he, "is a science enlarged in its compass, and noble in its objects. It binds the elements of society together, keeping all its discordant materials in place. It has no mysteries, no uncertainties under which imposition can protect itself. In litigation there is no quackery, no infallible specific. Crowds never follow ignorant pretenders to legal knowledge into courts of justice to vindicate their civil rights. Notwithstanding that time out of mind, its glorious uncertainty has furnished a theme for the wit of the world; there is, perhaps, no science apart from mathematical truth, more fixed or certain in its principles. I speak not of local laws—of mere statutory provisions, but of that great system of principles which constitute the common law, and in which the science consists. * * They are something, be it remembered, apart from the fact in litigation * * They are a body of principles reduced from reason and experience—based upon the soundest morals and adapted to the varied wants of organized society. *These principles are fixed, and constitute the science. It is to the study of these principles you will assiduously devote yourselves.* Without labour in mastering, and thought in applying them, you can do nothing, literally nothing. Genius alone will be of as little avail as powder without lead; though full of it, you are but a blank cartridge; you may make a great flash and noise, but will send nothing to the mark."

I quote his *words* thus fully, because they chime in with the lessons of his *life*, and aid us in representing to our own minds a faithful image of his intellectual and moral personality.

After getting his attorney's license in May, 1830, he concluded to leave his native county and settle in Monmouth. He first located himself at Middletown Point, where he stayed about two years, and then removed to Freehold, the county seat; and about this period

was married to Miss Vanderveer, a daughter of Judge Ferdinand Vanderveer, of Somerville, who survives her husband. The Monmouth County courts, especially the circuit for the trial of Supreme Court cases, were at that period, attended by Gen. Wall, George Wood, Col. Warren Scott, Chief Justice Green, the late James S. Green, and others of equal eminence in the profession, besides the local lawyers of the place, Mr. Ryall, Judge Randolph, and others. The forensic contests of these men and forensic contest with them, furnished a most excellent school for the development of Mr. Dayton's peculiar powers. He very soon took rank as a young man of great promise.* Gen. Wall, who was a good judge of character, detected his undeveloped powers on first coming in contact with him; and meeting Mr. Vroom shortly afterwards, whom he knew to have been Mr. Dayton's preceptor, made particular enquiries about him, and predicted his future eminence.

* A newspaper correspondent relates the following incident which took place in Freehold, at the November Court, 1833. A friend of the writer had been indicted for resenting an insult, and had employed Mr. Dayton, to defend him. The result of the case is told as follows: "It so happened that the outgoing sheriff, John M. Perrine, Esq., had summoned the grand jury and other jurors at the usual time, and that the recently elected and qualified sheriff, Thos. Miller, Esq., had made the return of the list or panel to the court, as "duly summoned," one sheriff summoning and the other sheriff returning the jurors of the term. Here was a *nut* which counsellor Dayton presented to the court to be *cracked*. He contended that the proceedings in relation to the jurymen were illegal and void, and moved the court to quash the indictment against the defendant, our friend Gravatt. Here was "a pretty kettle of fish." If one prisoner was discharged or remanded, all others would have the same claim upon the court—all indictments of the term would be null. Counsellor Dayton made a short, sensible and pointed argument. Attorney General White replied, and Judge Ryerson without hesitation, declared the indictment void. The defendant was discharged upon his own recognizance.

"All this was followed by a *buzz* through the then little village of Freehold. Young Dayton's name was upon every body's tongue. You could hear the exclamations "What! all the indictments quashed?" "No criminal business this term?" "That Dayton is sharp." "He knows more than we thought," with sundry similar expressions of commendation. From that day Mr. Dayton had no lack of clients."

They soon became warmly attached to each other, and the success of the younger advocate was a matter of just pride and gratulation to his generous senior, although he often felt the weight of those blossoming talents to his cost. When appropriate notice was taken of Gen'l Walls' death in the Supreme Court many years afterwards, Mr. Dayton is recorded to have spoken in a feeling manner of the character of the deceased; but when he came to speak of his personal relations with Gen'l Wall, the tide of recollection was too strong, large tears flooded his eyes, and he resumed his seat.

So rapidly did Mr. Dayton rise in the public estimation, both in regard to talents and character, that in 1837, he was chosen to represent the Whig party on their Legislative ticket as candidate for the Legislative Council. Monmouth was a strong Democratic County, having for five successive years elected the Jackson ticket by large majorities. But in 1837 came the great commercial crash, consequent upon the expansions, the extravagance, and the reckless speculations of previous years, and with it a revolution in the political world, which finally resulted in the defeat of Mr. Van Buren's administration, and the election of Gen'l Harrison to the Presidency. In 1837, the revolution commenced in New Jersey, and Monmouth was one of the counties which completely changed its political front. The entire Whig ticket was elected, and Mr. Dayton took his seat in the Legislative Council. The Whigs had a majority in both houses and retained it for six successive years, each year electing William Pennington, Governor. The legislature of 1837-8, of which Mr. Dayton was a member, in its Second Session, in February, passed one law which had a very important effect on the judiciary system of this State. Up to that period we had no county court of ordinary civil jurisdiction, except the Inferior Court of Common Pleas, so-called because the Supreme Court was a Superior Court of Common Pleas as well as a court of criminal and prerogative jurisdiction. The Inferior, or county court was composed of an indefinite number of judges, from three to a dozen or more, none of whom were ever, or rarely ever, selected from the bar, or for any legal knowledge they were supposed to possess. This constitution of the county courts rendered it necessary to bring all important litigation before the Supreme Court, either originally, or by a process of re-

removal from the Inferior to the Supreme Court, technically called a *habeas corpus cum causa*. The increasing population and business of the State caused to be felt the necessity of a local tribunal, having the confidence of the bar, and the people, and bringing justice at moderate expense home to every man's door. Mr Dayton was chairman of the judiciary committee of the Council, and in that capacity, as well as in his place as a member of the Council, he advocated the bill referred to, entitled, "An act to facilitate the administration of justice," by which a county court of original and unlimited jurisdiction in civil cases, was created, to be called a Circuit Court and to be held by a judge of the Supreme Court, four times a year in each county. A circuit had formerly been held twice a year in each county, by the Justices of the Supreme Court, for the mere trial of jury causes in the Supreme Court; but the new Circuit Court, besides the trial of these causes, was invested with original jurisdiction in all civil cases, as before stated, and soon became and has ever since remained the most popular court of common law jurisdiction in the State. The new duties required of the Supreme Court judges by this law, which went into effect on the 14th of February 1838, rendered necessary an increase of judicial force, and the 1st section of the law added two additional judges to the Supreme bench. On the 28th of February the legislature in joint meeting, elected Mr. Dayton and John Moore White, then attorney general, to fill the new seats on the bench which the law had thus created. Mr. Field another member of the same Legislature, was appointed Attorney General in the place of Mr. Justice White.

The Supreme Court was originally composed of a Chief Justice and two associate Justices, called respectively 2d and 3d Justices. In March, 1798, a fourth justiceship had been added, and the Hon. Elisha Boudinot of Newark was appointed to fill it; but on the expiration of his term of office, in 1806, the legislature repealed the law, and left the bench with three judges (a chief and two associates), as before; which constitution remained until the passage of the law of 1838.

Judge Dayton, like his relative Judge Southard, was a young man for so distinguished a position, being only just turned thirty-one years of age; but it is generally agreed that in the discharge of its

duties, probably no man could have been selected, who would have exhibited greater ability, impartiality, or dignity than he. I have not the time on this occasion, to review any of his decisions, or to descant on the nature of the questions which came up in adjudication before him. But I may make the general remark, that his opinions were characterized by the same marks of good sense and sound discrimination, disentangled from small technicalities and mere matters of form, which the general character of his mind would naturally lead us to expect. His associates were Chief Justice Hornblower, and Justices Ford, White and Nevius. Justice Thomas C. Ryerson was on the bench when he was first appointed, but died in the following August. The Supreme Court of this State, during the time Judge Dayton was on the bench, continued to enjoy, as it always has done, the highest confidence of the State of New Jersey, and the respect of her sister states. Our judiciary, at least, is one of the things, to which we can point with just State pride.

On the 18th of February 1841, after three years of honorable service on the bench of the Supreme Court, Judge Dayton resigned that position, and returned to the practice of the law, in the city of Trenton, where he then resided. He had for some time contemplated this step; but was dissuaded from it until now by his brethren on the bench, and some of the leading members of the bar. "He will carry with him," said the leading journal of the State, "to the less arduous pursuits of private life, the consciousness and the credit of having discharged his public functions with honor to himself and the court." His judicial career having been thus brought to a close, we have next to consider him in public life, as the representative of New Jersey in the National Legislature.

Mr. Southard, after a lingering illness of several weeks, died at Fredericksburg on the 26th of June, 1842. He had for the second time, represented this State in the Senate of the United States, since March 4th, 1833. A little more than one-half of his second term had elapsed. Congress being in session, and the State Legislature not in session, it devolved upon Governor Pennington to appoint Mr. Southard's successor; and on the second of July, he appointed Mr. Dayton, who took his seat on the sixth. I think it may be justly said that the appointment was but in accordance with the general feeling and preference, of the Whig party in the State.

Mr. Dayton's senatorial career extended over a period of nearly nine years. His appointment to the unexpired term of Mr. Southard, was confirmed by the legislature on its first session in October, 1842; and in February 1845, he was re-elected for the full term, commencing in March of that year, and ending March 4th, 1851.

The period covered by these nine years, was a very important and eventful one in our history; and the chief actors in it, with whom Mr. Dayton was brought in contact, were historical characters, whose names will go down to the latest ages of the republic. During this period occurred the independence of Texas, its consolidation with our Territory, the Mexican War, the acquisition of California, New Mexico and Arizona; the slavery agitation which ensued upon this acquisition; the compromises of that subject, which were attempted, which were made, and which were broken; the settlement of our North Eastern and North Western boundaries with Great Britain. These were some of the absorbing topics which were discussed and disposed of in that interesting epoch, embracing the administrations of Tyler, Polk and Taylor, and the commencement of that of Fillmore.

When Mr. Dayton entered the Senate, he found there such men as Calhoun and Preston of South Carolina, Berrien of Georgia, Benton, William C. Rives, Silas Wright, Crittenden of Kentucky, James Buchanan, Levi Woodbury, Rufus Choate, Evans of Maine, Morehead of Kentucky, Willie P. Mangum, Phelps of Vermont, Robert J. Walker of Mississippi, and others, their fit peers and rivals in consultation and debate. Clay had delivered his celebrated valedictory, and resigned on the last day of March previous, in disgust at the ingratitude of Republics, as Benton ill-naturedly says, because his party had preferred Gen'l Harrison as a more available candidate. Webster was in President Tyler's cabinet, holding the portfolio of foreign affairs. He was just then negotiating the Ashburton treaty, which defined our North Eastern Boundary, and which was signed the 9th of August. He did not resign till the following year. He returned to the Senate, however, in 1845. Mr. Clay returned in 1849. In the course of his Senatorial career, Mr. Dayton also met in the Senate, Hale of New Hampshire, Dickinson, Dix and Seward of New York, John

M. Clayton of Delaware, Reverdy Johnson of Maryland, Badger of North Carolina, Mr. Duffie of South Carolina, Dawson of Georgia, Bell of Tennessee, Corwin, Ewing and Chase of Ohio, Soule and Downs of Louisiana, Jefferson Davis of Mississippi, Douglass of Illinois, Cass of Michigan, King and Clemens of Alabama, Hamlin and Evans of Maine, Fremont and Gwin of California. Mr. Miller of our own State was his colleague during the whole period.

This list of names is sufficient to show that no council in the world at that time, exceeded in dignity the Senate of the United States, and certainly no legislative body was charged with the discussion of more weighty questions or the settlement of more important national affairs. The organization of the national power in its ultimate form over half a continent, and the final consolidation of the national territory of this Western Republic, was the duty of the day and the hour.

The United States Senate Chamber at that period, was one of the grandest and noblest arenas for the exhibition of oratory and statesmanship. I remember well, and can never forget the impression made upon my mind, by the appearance and deliberations of this body, on the occasion of my first visit to Washington, in January, 1839. I had the good fortune to witness debates between most of the great men of that day,—Clay, Webster, Calhoun, Preston, Silas Wright, Benton, Southard, and their associates. I was then young, and of course open to vivid and deep impressions. But after making due allowances on this account, I must say that nothing of which I ever read or heard, came up so fully to my conception of what is august, dignified, and grand in solemn and deliberative assemblies. Mr. Dayton, I need hardly say to this audience, for most of us remember it well, was equal to the place. He was a fit representative of the gallant and conservative State from which he came. Although becomingly modest among the Nestors of the Senate, and although he was chary of his speech, deeming it the part of wisdom, rather to listen than to be too constantly listened to, he soon took rank among the ablest men of the Senate, and acquired the highest respect and esteem of his associates. And whilst his views were fixed and decided on most of the political issues of the day, and generally coincided with those of the party to

which he was attached, he relied, in an eminent degree, as he always had done, on his own independent judgment. Hence, when he did speak, there was an originality and force of thought, and earnestness of expression, which invariably ensured him the respectful attention of the Senate.

One of the first speeches made by Mr. Dayton on the floor of the Senate, was in vindication of the national credit, and the public faith of the government. It was in February, 1843. It was at a time, when, as some of us may remember, almost every branch of industry was prostrated, not having yet recovered from the financial crash of 1837. The government was without resources; the public securities had been offered to foreign capitalists, and had been declined. Among those, who for a long course of years had been decrying the general government and federal institutions, at the expense of state sovereignty, a continual snarl of dissatisfaction and depreciation of everything national was kept up, until Mr. Dayton's loyal feelings were aroused; he could stand it no longer. Mr. McDuffie of South Carolina, had offered some resolutions, declaring, first, that it was the solemn and urgent duty of Congress to adopt without delay, efficient measures to revive the crippled and decaying commerce, replenish the impoverished exchequer, and await the alarming accumulation of the public debt of the United States, (which at that time was less than forty millions); secondly, that a modification of the tariff to a mere revenue basis, so as to meet, in some sort, the free trade inclinations of Great Britain, and to circumvent the threats of smuggling along our Northern frontier was necessary; and thirdly, that a rigid system of retrenchment and reform, was rendered imperative by the deplorable state of the public finances.

Mr. Evans of Maine, had offered an amendment, amongst other things, declaring that one great want of the country, was a currency of uniform value; and censuring the states which had repudiated their indebtedness, as a principal cause of our want of credit, and declaring that those debts were binding, and could not be annulled, and that it was the duty of the people of those states to take measures to pay them. Mr. Dayton proposed instead of this amendment, a resolution, declaring that the distrust and obloquy cast upon the Federal Government, by reason of the failure of those states to

pay, was an unjust and unfounded imputation upon its credit and good faith; that while the government deploras the misguided policy of those States, it disclaims all liability, legally, or morally, for such delinquency, and in vindication of its own unblemished faith and honor, it appeals with confidence to its past history. His speech in support of this resolution, rings out with a clear sound of unfaltering loyalty to, and faith in, our government and country. He hurls back upon great Britain, whose bankers and scholars had joined in a tirade of abuse against us and our institutions, the charge of faithlessness to public obligations, and shows how the national debt of England, of which ours would not pay the discount for thirty days, originated in fraud and oppression against the public creditors. He takes the President to task for publishing our shame, by sending to Congress a public message, detailing his unsuccessful efforts to borrow money abroad, and speaks with scorn of his proposition to offer a mortgage on the public lands.

"Sir," said he, "I am a citizen of the Federal Government of the United States; I am a citizen of the State of New Jersey; neither hath ever dishonored their faith by a broken promise. Aside from other objections to this plan, my feelings revolt at it as an indignity, as an unmerited imputation. An American President recommends to an American Congress, that, in addition to our national faith, we give collateral security by mortgage; that we submit to terms in the markets of the world, not asked of other nations; terms implying a distrust of our integrity, and our honor!" * * The money could have been procured, and has been procured (at home) without any such extraordinary means. But if it could not have been, taxation was open to us; better that, than negotiating on terms implying a distrust of our integrity." And, again; "Sir, there is no Government in the world, that ought to stand higher than that of these United States. There has none—no not one, acted with a faith more pure. And how is it with the other sovereignties? Not one can be named which is not staggering under its load." Then, after stating the amounts of debts of the principal European powers, he adds: "With these budgets of iniquity upon their backs, (the fruits of rapine and war), they stagger along like the old sinner of Bunyan's Allegory, reading homilies to us, doubting whether we can follow! We, in lusty youth, carrying the weight of a thistle down, and with an inheritance stretching from sea to sea! There is a cool assurance in this thing, to which the history of the world has no parallel."

So he always talked. Such was the stand he always took. Confidence in his country, love for it, zeal for its faith and honor, pride in its institutions, scorn for its secret enemies, those who endeavored to stab its reputation at home, and to hold it up to shame

and contempt abroad—undying faith in the greatness, the glory and the perpetuity of our nationality,—and at the same time always a Jerseyman, such shall we find WILLIAM L. DAYTON, not only in the Senate, but to the end of his life.

In 1843, our State politics experienced a change. The democrats carried the legislature and elected the Hon. Daniel Haines, governor. The legislature instructed Mr. Dayton to vote for the bill to remit Gen'l Jackson's fine, with interest. This was in December, 1843. He took occasion, on presenting the resolutions to the Senate, to give his views on the subject of legislative instructions. Of course he took the conservative ground which was always maintained by the party to which he belonged. In a very respectful and proper manner, he laid down what he considered the true rule. He said :

"But I am unwilling, at this stage of the question, to announce what will be my final vote upon the bill. I am here for advisement, and so long as a single hour remains,—until discussion and deliberation are both exhausted, I hold myself "open to conviction." Should I finally *doubt*, the instructions of a New Jersey legislature would have with me a controlling power. But, sir, while I thus, with unaffected sincerity, acknowledge the high estimate I place upon the opinions of that body, let me not be misunderstood. I utterly deny the binding force of these instructions. I will not shield myself from a just responsibility by subterfuge or evasion. I repeat that I utterly deny the *binding* force of these instructions. This chamber was not intended as an automaton chess-board, nor we as senseless pieces with which others play a game. If the legislature of New Jersey go further than to advise me of their wishes, —to communicate what they believe to be the sentiments of our common constituents, they usurp a power which does not belong to them. They were elected for no such purpose. I hold my place on this floor, subject to no limitation save that affixed by the constitution; and responsible to no power save that of the people. Between them and me, I acknowledge no such "go-between." Firmly and yet respectfully, I shall repel every attempt to encroach, in this or any other form, upon my constitutional rights.

"Sir, I was not elected to this body for any specific object, but for general legislative purposes. So soon as I assumed my seat, not New Jersey alone, but the entire Union was entitled to the benefit of my judgment, of however little value it might be.

"Although New Jersey may be satisfied, as far as *it* is concerned, to have its legislature think for me, will Massachusetts, will Georgia, will Kentucky consent? As a Senator of the United States, I have relations with them. If I substitute the judgment of a New Jersey legislature in place of my own, what becomes of those relations? how are those duties satisfied?

"But, as a member of this body, the initiatory step on my part, was an oath to support the constitution of these United States. Has this doctrine of *instruc-*

tions its origin there? Far from it. The object of that provision which gives to the office its duration, was expressly intended to provide against those constant changes which this doctrine must bring about. This was intended as the conservative department of government, a something above and beyond the reach of popular impulse, or sudden change; and yet this doctrine assumes that a legislative body, elected annually, may direct us in our official action here, or drive us from our seats. If this be so, the constitutional provision is nullified. But it is not so; the very act of resigning sooner than violate one's conscience by obeying, admits the whole argument. The reasoning by which this doctrine is attempted to be enforced, if I understand it, is, that senators being appointed by the legislature, represent the State—the one as the principal, the other as the agent. That wherever the principal, through its legislature, chooses to instruct, it takes the responsibility, and the agent is bound to obey. And yet these gentlemen who profess to act upon this doctrine, uniformly resign when instructed to vote in conflict with their own judgment. And yet the vote to be given is rarely, if ever, a question of moral right or wrong; it is a question of judgment only—a mere matter of political expediency. And yet upon such a question, and where the principal assumes, as they say, all the responsibility, the advocates of the doctrine resign sooner than violate their consciences by obedience. Sir, the act of resigning is an admission that, in despite of instructions the responsibility is yet with them. If the legislature have the right to direct us in our duties here, how on such a question, involving no moral principal, can it affect the conscience or the honor to obey? This is one of those difficulties growing out of this doctrine, and the practice under it, to which I apprehend there is no satisfactory solution.

“My views upon this subject are fortunately not the growth of my present position; they were expressed long ago, and under other circumstances. In the year 1838, I had the honor to be a member of the legislative council of New Jersey. Gen'l Wall, a highly respectable citizen of that State, then held a seat in this body, politically opposed, as he was, to a large majority of both branches of our legislature. His friends had, a few years preceding, been liberal in their instructions to Mr. Frelinghuysen and the late Mr. Southard; and their want of obedience had been denounced with the utmost bitterness. But the face of things had now changed; their weapon was in our own hands. It was supposed by some that it was our duty to strike; and that Gen'l Wall must obey or leave his seat. I then assumed the position for which I contend now—the right to express our opinions, our sense of what we believed to be the views of our constituents, but that the same was not, and could not, constitutionally, be *binding* upon a member of this body. In this modified form, resolutions were passed. They were utterly disregarded by Gen'l Wall. He said they were not *instructions*. Nor were they in the sense that he understood the word. But if we were the principal, and he the agent; if we were the master, and he the servant,—of what importance was the form of expression? The servant who knows the will of his master, is as much bound to conform thereto as though he had his command. Words are but the shell; it is the sense which constitutes the kernel.”

In the course of this session, the question of taking possession of

Oregon was considerably discussed. By a convention entered into between Great Britain and the United States, in 1818, and renewed in 1827, the two nations held a joint occupancy of the Country, subject to be discontinued on a year's notice. Some attempts had been made to effect a settlement of the conflicting claims of the parties, but without success. As early as 1815, our ambassadors had offered to divide the Country by the 49th parallel, although our claim extended to the Russian possessions, in latitude, $54^{\circ} 40'$. This offer had been rejected by the English Commissioners. Immediately after the conclusion of the Ashburton Treaty; a further attempt was made on our part to get a settlement of the question. In 1843 the offer of 1815, was renewed by our minister in London, and again declined. Meantime the Western States began to get restive on the subject, and to insist on a more satisfactory disposition of the affair; and in January, 1844, Mr. Semple of Illinois, offered a resolution requesting the President to give the requisite notice for terminating the joint occupation of the territory. Bills were also introduced to establish a line of military posts from the Mississippi to Oregon Territory, for the organization of a territorial government, and for guaranteeing to settlers a section of land, etc.

Mr. Dayton opposed the resolution as uncalled for, improper and calculated to involve us in a war with Great Britain, on a question eminently proper for negotiation or arbitration. Having discussed the titles of the two countries, and shown that whilst our title was undoubtedly the strongest, there was nevertheless fair ground for difference of opinion on the subject; he expressed these very statesmanlike views.

"But my position is, that, upon principals of national law, the question of Oregon is the very question of all others, properly the subject of negotiation, and even of arbitration, in preference to war. By reference to those writers who treat upon this subject, it will be seen that a distinction is made between such rights as are denominated essential rights; or, in other words, rights upon the maintenance of which the safety and existence of a nation depends, and such rights of inferior importance as concern merely its interests. The latter are always the proper subjects of negotiation and arbitration; the former never. (Vattel, 279.) And the reason of the distinction is obvious. Now, it can scarcely be pretended that either the safety or existence of this nation, depends upon its possessing all or only a part of Oregon. It is therefore one of those questions upon which, should we re-

fuse negotiation, and assume an attitude of positive defiance, the sentiment of the civilized world would be against us. The power of Great Britain as I view the question, is wholly aside the case. There is something more to be dreaded than the physical power of all the nations of the earth combined—it is the moral power of public sentiment. The one could but waste our substance and destroy our people; the other can take away our good name.”

Mr. Dayton further contended that the Country, in itself, aside from its being necessary to our Pacific Commerce, was, by all accounts, a country hardly worth a contest. His observations on this point are, at the present day, curious enough, and illustrate the wonderful progress of events within the last twenty years. After adverting to the Indian difficulty—showing we would be separated from Oregon, by three or four hundred thousand fierce and hostile savages, to whom we owed some duties of justice and humanity—he dilated on the undesirableness for a long time to come, of having Oregon so far filled with settlers, as to take the relation either of a State, or an organized territory.

“But, Mr. President,” said he, “aside from all questions of this kind the principal one remains. How will the speedy settlement of Oregon effect us? In my judgment, it must be injuriously. The interests of the nation, the dictates of a sound, far-seeing policy, are against it. To decide this question, it is necessary to fix what is to be the real character of this distant settlement. Is Oregon to be first a Territory, and then one of the States of the Union? Or must it ever remain a distinct government, colonial in its character? The friends of the measure say the former, of course, and they even now have the bill on our tables, organizing a vast territorial government. Now, sir, the history of the past may justify almost any extravagant expectation for the future, but the admission of Oregon as a State of this Union seems to me as undesirable on the one hand, as it is improbable on the other. Undesirable because, by the aid of the representative principle, we have already spread ourselves to a vast, and almost unwieldy extent. I have no faith in the unlimited extension of this government by the aid of that principle. The arch has just so much strength as its centre, and no more. Every man must see that the inevitable consequence of increasing the number of States, (more especially if distant, and with peculiar interests), must increase the number and amount of conflicting interests. Upon the admission of the very state which the Senator represents, this country was shaken as by an earthquake. We have already conflicting interests, more than enough; and God forbid that the time shall ever come, when a State on the banks of the Pacific, with its interests and tendencies of trade all looking towards the Asiatic nations of the East, shall add its jarring claims to our already distracted and overburdened confederacy.

“But it is not only, in my judgment, undesirable, but improbable. Distance

and the character of the intervening country, are natural obstacles, forbidding the idea. By water the distance around Cape Horn is said to be about 18,000 miles. By land, the distance by the only line of travel is about 5,000 miles from this spot to Fort Vancouver, in the valley of the Wallamette! We are much nearer, then, to the remote nations of Europe than to Oregon. And when considered in reference to the facilities of communication, Europe is our next door neighbor. And this state of things must continue, unless some new agent of intercommunication shall cast up. The power of steam has been suggested. Talk of steam communication—a railroad to the mouth of the Columbia? Why, look at the cost and bankrupt condition of railroads proceeding almost from your Capital, traversing your great thoroughfares. A railroad across 2,500 miles of prairie, of desert, and of mountains! The smoke of an engine through those terrible fissures of that great rocky ledge, where the smoke of a volcano only has rolled before! Who is to make this vast internal, or rather external, improvement? The State of Oregon, or the United States? Where is to come the power? Who supply the means? "The mines of Mexico and Peru disemboweled would scarcely pay a penny in the pound of the cost." Nothing short of the lamp of Aladdin will suffice for such an expenditure. The extravagance of the suggestion seems to me to outrun what we know of modern visionary scheming. The South sea bubble, the Dutchman's speculation in tulip roots, our own in town lots and multicaulis, are all common place plodding in comparison. But the suggestion seems to me properly part and parcel of this great inflated whole. Viewing this subject practically, we must see that no such communication can ever be made. "It wont pay!" At least 700 or 800 miles of this travel must ever remain as it now is, rugged mountain and barren desert—a great American Sahara, and all the volcanic piles beyond. I do not mean to say that they may not be passed; but I do say they are obstacles which, in my opinion, forbid that convenient accessibility necessary to the intercourse of all that become States of this Union."

Neither Mr. Dayton nor anyone else then foresaw, that the mines of Mexico and Peru—or at at least, mines equal to them, would in reality within five years from the time of that speaking be discovered near Oregon, and disemboweled from the earth by throngs of many thousands, flocking thither from the old states; and that the railroad and the telegraph would become so developed as to annihilate time and space, and connect the States on the Pacific with those of the Mississippi and the East, by ties as strong as those which ever bound the old thirteen together.

It only remains to say, that notwithstanding all the gasconading which was indulged in, for political effect, about having the whole of Oregon up to latitude, $54^{\circ} 40'$ or, "a fight," no notice was given to Great Britain; but Mr. Polk and his secretary Mr. Buchanan, quietly continued the negotiations which Mr. Tyler had commenced,

until they resulted in the acceptance of the line of 49° North latitude as our Northern limit, by the Treaty of June 15th, 1846, thus settling this boundary question forever.

THE TARIFF.

In this session the Tariff, so long a most fruitful source of discussion and disagreement in our national councils, came on the tapis again. The compromise act of 1833 had prescribed a gradual reduction of all duties to 20 per cent. on the value of the article imported, no matter what those articles were. This minimum rate was to be attained on the 1st of July, 1842; and after that, all duties were to be collected in cash, and no credits given therefor; and were to be laid for the purpose of raising such revenue as might be necessary to an economical administration of the Government, and were to be assessed on the value of the goods at the port of entry. Such was the Compromise Act—based on the principles of a blind free trade—paying no regard to the character of the articles, or whether they were articles of luxury or necessity, or whether produceable at home or not. This compromise was come to for the purpose of satisfying the South. It was one of those grand efforts of the great compromiser, Clay, which will be better understood and accurately appreciated when men's heads become more clear than they are yet, from the influence of personal and political attachments and from the fears of Southern threats of disunion.

Long before July 1st, 1842, arrived, it became very clear that the compromise act was neither adequate to raise the required revenue of the country, nor suited to the exigencies of its industry or business. And, by its terms, after that period such duties were to be imposed as should at least meet the former requirement.

Accordingly, in August, 1842, just after Mr. Dayton had entered the Senate, Congress had passed a new Tariff Act, graduating the duties upon different articles with some regard to the manufacturing interests of the country, and making them *specific* or *ad valorem* as seemed best calculated to effect the objects in view.

Many of the duties thus imposed, of course exceeded 20 per cent. *ad valorem*. Various efforts were made from time to time to break down this tariff, and bring the rates back to the standard of the compro-

mise act; but they were unsuccessful as long as the Whig party continued paramount in the Senate, which it did during the entire administration of Mr. Tyler. After the election of Mr. Polk, the tariff of 1842 was superseded by that of 1846, which was far more acceptable to the advocates of free trade.

Mr. Dayton always warmly sided with his party in this question of the Tariff, and did all in his power to preserve that which had been lately established. In January, 1844, Mr. McDuffie, of South Carolina, moved to reduce the duties imposed by the act of 1842 to the compromise standard.

The subject having been viewed and discussed from almost every standpoint by the ablest debaters of the country, it seemed hardly probable that any new interest could be given to it. But Mr. Dayton, in April of this year, in a very able and original speech which he made against Mr. McDuffie's resolution, presented it in its relations to agriculture, contending, contrary to the general assumption, that an efficient protective tariff was a benefit to the agricultural as well as to the other great interests of the country. The old argument against the tariff had always been that it was calculated to enrich the manufacturer at the expense of the farmer. Mr. Dayton commenced his speech as follows :

"The tariff act of 1842 has realized, more than realized, the expectations of its friends. As a means of revenue, it has filled the empty coffers of your country. As a means of protection to labor, its power has been almost miraculous; it has raised domestic industry from the dead. A thousand branches of industry have sprung up, as it were, in a night.

"It is my purpose to relieve this act, as far as I can, of the charge of partiality in its benefits and operations. It has been charged here and elsewhere that the tariff act of 1842, as well as the system of which it is a part, is calculated to plunder the agriculturist and enrich the manufacturer; or in the emphatic words of the Senator from New Hampshire (Mr. Woodbury), it is a system for skinning the farmer.

"It is of that interest and to that interest I mean principally to speak. It is to the farmers of the country that this system has been most misrepresented, and by them I desire that it shall be understood. If it shall be found to be a system of robbery, let them deal with those who sustain it accordingly. I think it may be demonstrated that the agriculturists are interested in the perpetuity of this system, to an extent at least equal to any other class of the community, and that from the very beginning they themselves have been the recipients of its bounty and the objects of its care."

He made a masterly examination of the subject thus propounded ;

after giving a history of the various tariffs, and showing that many articles of agricultural production were directly protected by the act of 1842, he proceeded to elaborate his principal proposition. that the home market afforded to our farmers by the establishment of manufactures, far outweighs all counter considerations. The value of productions consists not in amount only, but in convenience of market. He also showed from the history and experience of other nations that the condition of the agriculturist has always been most prosperous when the manufacturing interest was fostered. The general welfare of the country superinduced by an enlarged system of manufactures, was urged with great force. On this point he said :

"But the agriculturists of our country have an interest in the protection of manufactures of a more enlarged character. If any interest may specially be called the country's, it is theirs. They have a deep interest in this question, as a question of political economy—of material wealth. When they are invoked to abandon manufactures, and buy and sell abroad, they will count the cost.

"1. The country is to sink the immense capital now invested in machinery, buildings, &c.

"2. The country is to sink the skill of its citizens—something of vast importance, when you recollect the value of that skill as compared with common labor, in the production of national wealth.

"3. The country is to sink all that power for producing national wealth which lies in machinery and its propelling agents, water, wind, steam, &c.—a power equal in this country to many millions of men. All these must be abandoned to the foreign manufacturer, while we return to the simple elementary agents of production, How much wealth, as a nation, could we thus produce, compared with what we now produce? Have a people ever existed who have become wealthy in the production of raw material alone? Would not that country necessarily become poor which should so engage itself, and exchange the productions of its labor for the labor of another country engaged in manufactures? It would have to give the labor of at least five men at home in exchange for the more valuable labor of one man engaged in manufactures and aided by machinery abroad.

"In every aspect of this question, the farmers of this country have personally and politically the deepest interest in the perpetuity of this system of protection to American industry, and the development of American resources."

Closely connected with these considerations are those that relate to the moral and intellectual advancement of a people. He said :

"But, sir, this question connects itself, too, with the intelligence and civilization of the country. A high state of mechanical or manufacturing improvement has ever marked a people of higher intelligence than those engaged in producing raw material. Apart from England, already referred to, and looking

to the Continent, we cannot forget that those beams of light which first fringed with silver the edge of the dark ages, arose from the cities of Germany, the early home of mechanical and manufacturing industry. It was from Ghent the woolen manufacture came to England. Nay, sir, we might almost say that the universities of Germany are but higher emanations of the same spirit. Geneva, with its little population of twenty-five thousand, has a fame which knows no limit. It was among her artisans that the lights of the Reformation found an asylum and a home. Yet her fame rests even more upon her watch-makers than her universities. They have grown together, each giving warmth and support to the other, without which perhaps both had long since been lifeless—cold as the waters of their own Leman. I might run round the world and upon every spot where mechanical or manufacturing skill has flourished, show a people marked for intelligence and civilization. This, sir, is a matter for consideration when patriotism is invoked to shut up the manufactory and the workshop."

I do not know that I have ever seen the subject better or more forcibly discussed upon its true grounds, than Mr. Dayton discussed it in this speech. It can hardly be doubted that the moral as well as material interest of every great country, its independence and dignity, as well as the happiness of its people, require that it should be strengthened and embellished by all the useful and all the liberal arts; and the protection and encouragement of those arts is one of the first duties of civil government. Though it should be true (which is very doubtful), that the fostering and development of manufactures bore hardly on particular interests and particular districts, yet the general good to the whole nation which would be thereby effected would more than counterbalance, even to these particular interests or districts, the disadvantages they suffered.

The compromise to which we have referred, was intended to defer to a particular interest and a particular district of the country, at the expense of the industrial independence of the whole country. No such compromise can ever be permanently successful in accomplishing its objects.

ANNEXATION OF TEXAS.

Soon came up the absorbing question relating to the annexation of Texas—the first of that long series of measures and events which ended in the immense enlargement of our territories, and in the almost interminable discussions and disputes respecting the extension of slavery; and finally culminated, in our times, in the late gigantic rebellion.

Mr. Dayton, like many other of our most sagacious statesmen, suspected from the first the motives of the projectors of Texan annexation, saw the coming danger afar off, and uniformly opposed the project.

The secret history of this project is given by Mr. Benton in his *Thirty Years' View*. His close connection with the events of that period, and his intimate acquaintance with all the principal actors, gave him eminent advantages for such an exposition. He traces the whole plot, most unerringly, to Mr. Calhoun, who set it on foot for the purpose, primarily, of effecting his own elevation to the Presidency, and strengthening the slave-holding interest in the Union; and secondarily, if not successful, of dissolving the Union, and forming, together with Texas, a powerful Southern Confederacy. The repeal of the tariff of 1842, and the annexation of Texas, or disunion, were the burden of speeches and toasts at political meetings and fourth of July dinners in South Carolina and elsewhere. The subject was started and soon got into politics. Others availed themselves of it, as well as Mr. Calhoun, as a stalking horse to ride into power.

Mr. Tyler had recurred to the subject of Texas, and the desirableness of putting an end to the border warfare kept up between her and Mexico, in his annual message of 1843. His language was peculiar: "Considering that Texas is separated from the United States by a mere geographical line—that her territory, in the opinion of many, down to a late period formed a portion of the territory of the United States—that it is homogenous in its population and pursuits with the adjoining States, and makes contributions to the commerce of the world in the same articles with them—and that most of her inhabitants have been citizens of the United States, speak the same language, and live under similar institutions with ourselves—this government is bound by every consideration of interest, as well as of sympathy, to see that she shall be left free to act, especially in regard to her domestic affairs, unawed by force, and unrestrained by the policy or views of other countries."

Mr. Webster left the office of Secretary of State in May, 1843. Mr. Upshur, a friend of Mr. Calhoun and of the Texan project, was appointed his successor, and after his death by the unfortunate acci-

dent of February, 1844, Mr. Calhoun himself took the place best fitted to carry out his bold designs. On the 12th of April he had concluded a treaty of annexation, with the Texan Commissioners, which was presented to the Senate on the 22d. For the purpose of rushing the measure through, the idea had been started that England was negotiating for Texas, and stipulating for the abolition of slavery therein. The treaty was rejected by a vote taken on the 8th of June. One great objection to annexation was that it would, if done at that time, necessarily involve a war with Mexico. The subject entered largely into the discussions of the ensuing political campaign. Mr. Calhoun had been disappointed in getting, by means of the spirit which he had thus raised, the nomination for the Presidency. But he had prevented the nomination of Mr. Van Buren, and Mr. Polk became the candidate of the Democratic party. Clay and Frelinghuysen bore the colors of the opposite side.

In an address to his constituents at Newark in June, 1844, Mr. Dayton had warned them that the object of seeking the annexation of Texas was to break down the tariff and strengthen the slave power by the creation of four new slave states. "The constitutional compromise," said he, "by which this feature [of allowing three-fifths of all slaves in the basis of representation] was engrafted into our political system was solemnly agreed to, and we will stand by it as long as the Government shall last. But it is asking too much to bring upon us an entire new country of slaves and slave states upon the same terms. We will stand by the compromise as it is; to extend it would be not to extend Liberty but Slavery."

Mr. Tyler in his next annual message, Dec 1844, strongly advocated annexation. He said that Mexico would have no right to complain, as Texas was actually independent, and we had acknowledged her independence; and therefore she had a right to do with herself as she chose.

Early in the session Mr. McDuffie introduced a joint resolution for effecting annexation on the basis of the rejected treaty. Other resolutions and one bill were offered; and finally a joint resolution for direct annexation was offered, which was eventually passed, with certain amendments. One of these was offered by Mr. Douglass to the effect that in all that part of the territory north of $36^{\circ} 30'$,

slavery or involuntary servitude except for crime, should be prohibited. The progress of these resolutions excited much debate. One historical writer, speaking of these debates in the Senate, says: "Few debates have ever occurred in that body in which has been engaged a stronger array of talent, or which have been more highly characterized by legislative decorum, or the maintenance of Senatorial dignity. It was one of the most important questions—perhaps the most important—ever decided by an American legislature—the incorporation of an independent foreign nation into our own by a joint resolution—an act which," I still quote, "was regarded universally as an exercise of an extremely doubtful power, and by many as unauthorized by the Constitution upon any just principle of interpretation. Although the question had excited strong party feeling, the reported speeches evince entire freedom from acrimony and invective."

Mr. Dayton delivered his views on the subject on the 24th of February. He took the ground that the proceeding was unconstitutional, that the legislative power was incompetent to effect the proposed object: that the power to admit "new states" into the union, conferred upon Congress by the Constitution related only to such new states as should be formed out of territory already belonging to the Union, and did not refer to foreign countries; that all negotiations with foreign powers belonged to the President and Senate, and required the consent of two-thirds of the latter body, in which all the states were represented: that this was a feature of the Constitution which the small states had always valued, as one of their chief securities against the overwhelming power of the large States: that it was an invasion of their rights in this respect, and an enormity in itself, to force new partners upon them with equal representation in the Senate and greater in the House, by a simple act or resolution of Congress: that it created an additional slave state, with the privilege of creating four more slave States; and that the pretence of carrying out the Missouri Compromise, by declaring that slavery should be prohibited in all that part of the territory north of 36° 30', was an insult to the free states. No part of the territory extended north of that line; and the proviso had the effect of confirming slavery in all the territory south of it—which was a clear infraction

of the Missouri Compromise. That compromise had reference to the territory then owned by the United States, and not to new territories. This project would introduce a vast new country as slave territory, contrary to the spirit of the pledges involved in the Missouri Compromise. He predicted that this would not be the last attempt of the slave power to extend its own area, but that, when Texas was filled up, and new free states in the West should ask for admission, it would demand still further extension, and not rest until it had reached the Pacific.

The conclusion of this speech is worthy of being repeated here :

"Mr. President: The integrity of the States of this Union must be preserved at any price short of dishonor and impositions on its parts too grievous to be borne. We ask our Southern friends not to press us too far. We feel that while the South has always clamored most, she has had least cause, that the government has been almost exclusively in her hands from the beginning. The present acquisition we deprecate, first, and principally, because it is a violation of the Constitution; and next, because we feel that it can bring with it no commensurate good to counterbalance its evils. It is hanging an immense State on the very outermost end of the confederacy, and it gives it the advantage of leverage against the center. If it cannot, on trial, upheave it, it may at least break the beam, and carry a large fragment away with it. Sir, we want conciliation; and we want forbearance at the hands of the South. Of country, God knows we have "enough and to spare!" Filled from its verge to its centre with our free citizens and our free institutions, where in the compass of light could you find a nation reflecting more of greatness—more of goodness!"

Before the vote on the resolution was taken, Mr. Walker, of Mississippi, in order to secure that of Mr. Benton, offered an amendment authorizing the President, in his discretion, to open negotiations for a treaty with Texas instead of presenting the resolutions themselves as a direct proposition for annexation.

The following account of the final proceedings was given at the time of their occurrence :

"The most intense anxiety has pervaded the public mind for the last three weeks, and up to the time at which we go to press with this number, every moment adds fresh incident to the topic. For two weeks the United States Senate chamber has been the focus. Upon that body the GREAT QUESTION devolved. Daily every avenue to the chamber was crammed by persons from all parts of the Union. Foreign ministers, agents, and officers of all departments of the government were there, citizens and strangers, male and female. All seemed impressed with the gravity and importance of the question. The de-

bate, for talent and eloquence, as a whole, has seldom had its equal. certainly has never been surpassed in either House of Congress. The uncertainty of the result—how the vote would be, up to the last moment, served to call out on each side the utmost strength of intellect and ardor. There is every reason to believe that during the struggle, the majority wavered first to the one side and then to the other more than once.

* * * *

"After taking a recess, the Senate met at 6 o'clock to determine the question. Mr. Foster proposed an amendment to that of Mr. Walker, which was rejected. Mr. Archer then proposed an amendment, *directing* the President to open negotiations with Texas for its annexation to the Union. This was lost by a tie vote, 26 to 26. Mr. Walker's amendment then came up and was adopted, ayes, 27, nays, 25, every member being present. The resolution, as amended, was then ordered to a third reading by the same vote. The bill was then read a third time amidst a profound silence, and without the yeas and nays being called, and passed."

The annexation was consummated on the 4th of July, 1845, by a convention of the people of Texas acceding to the terms of the Joint Resolution.

THE MEXICAN WAR.

The acquisition of Texas involved us in the Mexican War. A force was immediately sent to the west of the Nueces, to prevent the Mexicans from invading our territory. Gen'l Taylor arrived at Point Isabel, on the banks of the Rio Grande, on the 24th of March, 1846. A fleet of transports reached the same place half an hour later. The army of occupation consisted of 3,500 men. About a month afterwards, hostilities commenced. On the 11th of May, President Polk sent a message to Congress, announcing a state of war, which, he said, had been commenced on the part of Mexico, whose government "after a long-continued series of menaces, had at last invaded our territory, and shed the blood of our fellow citizens on our own soil." He invoked the prompt action of Congress, to recognize the existence of the war, and to raise the means of prosecuting it. A bill for raising the necessary men and \$10,000, 000, of money was immediately reported—and passed with great unanimity by both houses. It would have been passed unanimously, had not the preamble re-echoed the President's fiction, that the war had been begun by Mexico. Senators Mangum, J. M. Clayton and Dayton, whilst voting for the bill, on the principal that when our country is in a fight, we must stand by her, right or wrong, had their protests against the preamble entered on the journal.

Mr. Dayton was consistent, throughout, in his condemnation of the objects and purposes of the war. He invariably voted the necessary measures to sustain the executive in its prosecution, but always under protest. His views were quite fully developed in a speech delivered on the bill, called the tenth regiment bill, in January, 1847.

WILMOT PROVISIO.

On the first of March, of that year, he contended very ably and earnestly for the application of what is commonly called, the *Wilmot Proviso*, to the acquisition of any new territory from Mexico, at the termination of hostilities; not being willing to encourage any further the system of slavery extension which had been so signally developed by the annexation of Texas.

This question came up for discussion in the following manner. On the 4th of August, 1846, the President had sent to the Senate a confidential message, to the effect that he had resolved on making proposals for a negotiation with Mexico—having already sent a letter, to that country with that purpose; and asking of Congress an appropriation of money to aid him in negotiating a peace. The object of the money was declared to be, to pay Mexico a fair equivalent for any concessions she might make, in adjusting a permanent boundary between the two countries—that is to say—to acquire additional territory from Mexico. A similar message was sent to the House of Representatives on the 8th of August, and a bill was immediately introduced appropriating \$2,000,000, to enable the President to conclude a treaty of peace with Mexico. To this bill, before its passage, David Wilmot of Pennsylvania, offered the following amendment, which acquired so much notoriety, as the famous “Wilmot Proviso.”

“*Provided*, That, as an express and fundamental condition to the acquisition of any territory from the Republic of Mexico by the United States, by virtue of any treaty which may be negotiated between them, and to the use by the Executive of the moneys herein appropriated, neither slavery nor involuntary servitude shall ever exist in any part of said territory, except for crime, whereof the party shall first be duly convicted.”

The amendment was adopted, and the bill passed. It failed, however, to receive the sanction of the Senate, and Congress adjourned without making the appropriation asked for.

There was a great difference of opinion as to the expediency of pressing the Wilmot Proviso. Mr. Benton and others, including many conservative whigs, contended that it was nugatory, inasmuch as slavery had been absolutely abolished in Mexico, and therefore did not and could not exist in California or New Mexico, the territories which it was supposed might be procured in the negotiations. Others, on the other hand, pointed to Texas as an illustration of the futility of this argument, and as a proof that slavery would force itself into any new territories where it could be profitably used unless expressly prohibited. Others, again, among whom where Mr. Douglass of Illinois, proposed to extend the Missouri compromise line to the Pacific, and thus end the controversy by another compromise.

Mr. Calhoun, and the extreme Southern party, seized upon it as a new cause of clamor against the North, denouncing it as the greatest possible outrage and injury to the slave states. At the same time, Mr. Calhoun wrote a confidential letter to a member of the Alabama legislature, hugging this proviso to his bosom, Mr. Benton says, as a fortunate event as a means of "forcing the issue," (namely of a separation) between the North and the South, and deprecating any adjustment, compromise or even defeat of it, as a misfortune to the South.

Considering the ill blood that it was made the occasion of engendering, it may be deemed to have been a very questionable measure. If, however, the Southern leaders were determined to "force the issue" at one time or the other—as really seems to have been the case—perhaps the pressing of this Proviso was one link in that chain of events, which an overruling Providence designed to terminate in the overthrow of slavery, and the crushing out of the dogma of secession. For my own part, I always deemed it an inexpedient insistment on the part of the North.

In the following session, a bill was introduced into the house appropriating three millions of dollars, for the same purpose as that contemplated by the two-million bill of the previous session, and

this Wilmot Proviso was moved as an amendment by Mr. Hamlin of Ohio, and adopted. But the Senate instead of waiting for the House bill, passed one of its own, without the Proviso, which the house finally agreed to on the last day of that Congress, March 3d, 1847. Whilst the matter was under discussion in the Senate, on the 1st of March, Mr. Dayton made the speech, in favor of the Proviso to which I have alluded. The New Jersey Legislature had passed a resolution requesting its Senators and Representatives to support the proviso, and Mr. Dayton very cheerfully complied with this request.

He contended, first, that Congress had the power to impose such a restriction, that is, to prohibit slavery in its territories; and, secondly, that it was its duty to do so now. His argument on the first point has always seemed to me unanswerable. Congress is the only legislature, the only fountain of law, for the federal territories. If Congress, or such territorial legislature as it may delegate for the purpose, cannot impose laws upon such territories, there is no power, body, or jurisdiction that can—and that alternative is an absurdity, for all territory must be subject to some government or other. The United States is a government, a sovereign power. If it possesses territories, no matter how acquired, it must have the usual governmental prerogative of imposing laws upon them. The constitution expressly says that Congress shall have power to pass all laws necessary to carry into execution the powers granted. It also expressly declares that Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States.

He then examined and demolished the proposition contained in the resolutions offered by Mr. Calhoun, that any action of Congress which should prevent the citizens of a Southern State from emigrating to a new territory or state, with their slave property, was an unconstitutional discrimination against such Southern State. This proposition he showed by various illustrations, to be an absurdity. In New Jersey he said a dollar bill passes for money, in Missouri it does not. Congress had adopted the Missouri plan in the territories, prohibiting the use of dollar bills in making payment for any of the public lands. Was this an unconstitutional discrimination against

New Jersey or her citizens? If Congress held the law making power over the territories, it had a right to adopt just such laws for their government as it might deem most for their benefit and prosperity, without inquiring what state laws they coincided with, or what they differed from.

So with regard to conditions imposed by Congress upon New States on their admission into the Union, he showed that they are not only valid in principle, but it has even been the practice of Congress to impose them. Congress is not *bound* to admit any State when she applies for admission, and if not, then she may impose such conditions of admission as do not conflict with the constitution. If, for instance, Congress should impose the condition, that the New State should never send any Senators to Congress, such a condition would be repugnant to the constitution and would be void. But it has always been the practice of Congress, to impose certain conditions. One of the last conditions so imposed, was in the case of Minnesota, to wit: that that state should not impose a tax on the public lands for five years after their sale. Another condition usually imposed is that the lands of non-residents shall never be taxed higher than those of residents. These are merely examples. They have always been deemed valid.

As to the expediency of exercising the power in the case under discussion, Mr. Dayton was clear that it should be. "If" said he, "we would avoid "future and blacker discord, now, now is the time, before any personal interests are involved, before any legal rights vested, while all is yet in the unpledged, untold future. Sir, if this declaration be once made, it will control the conduct of Statesmen,—it will regulate the votes of Senators. If the declaration be now made, before God, I believe it will, in its results, end the war. If nothing but free territory is to be acquired, depend upon it, a Southern President will scarcely hold it worth the millions of money and the blood it will cost to obtain it."

But the provision was not adopted. The Three-million bill was passed without it. California and New Mexico were added to our domain;—and thereupon arose other questions respecting the organization, government and status, as to slavery of these new territories which shook the country to its centre. Mr. Calhoun and his follow-

ers declared that Congress could not prohibit, could not legislate about slavery in the territories; and that any such legislation would be good cause of disunion; the growing anti-slavery party declared the exact contrary, and that Congress ought so to legislate; and a large middle party was in favor of some compromise of the matter that should end the dispute, and restore quiet to the country.

When the treaty with Mexico was concluded in February, 1848, Mr. Dayton advocated its ratification, being the first whig who counseled this course; and in a speech made soon after, (April 11th) he justified himself on the ground that the administration was evidently determined to have some territory before closing the War, and the real question probably was, whether we were to have the territory stipulated for in this treaty, or more: in addition to this, the territory stipulated for, was so situated and of such a character, as practically to preclude "that wretched question" as he calls it, of the Wilmot Proviso. "This line of 32° North latitude, says he, "gives us a country which, I apprehend, can never become permanently a slave country." * * "There is no slavery now in the territory acquired by the treaty." "The only remaining question is, can that country ever become permanently a slave country. I hold that it cannot. Thus then, the adoption of this line practically avoids this great evil. I am opposed to all extension of slavery. I am opposed to all extension of this principle of representation. But while entertaining these sentiments, I will never turn fanatic, and set the world on fire on account of an abstraction, a mere theory, unattended by practical results. Representing a constituency with nothing at all of political abolition about them, I rejoice in the termination of this war, in a manner which avoids this distracting and dangerous question."

In this fond hope, alas, the Senator was doomed to be sadly mistaken. The question continued to be fomented as a basis of acrimonious discussion and contention between the different sections of the Union.

These remarks, show however, that although Mr. Dayton was invariably opposed to the extension of slavery, he reflected the conservative feelings of his native State, in desiring to avoid all occasions of fanning the flames of controversy on the subject.

It is not a little singular that this speech, which was intended to bring the Whig side of the House to the support of the treaty and of the supplemental measures that were necessary to execute it, was mainly devoted to the refutation of a speech delivered on the 23d of March by Mr. Webster against the treaty and all measures auxiliary to it. The papers of the day said that Mr. Webster was very much excited and in earnest on that occasion, and produced one of his grandest intellectual and rhetorical efforts. But Mr. Dayton did certainly submit the logic of Mr. W. to a most searching analysis, and proved, I think conclusively, that the true course for the country and the Whig party, was to carry out the treaty in all its parts.

It is also not a little singular that in a speech thus devoted to the refutation of Mr. Webster, Mr. Dayton laid down and dwelt upon at considerable length, the position which Mr. Webster subsequently took up in discussing the compromise measures of 1850, namely, that California and New Mexico (the new territories acquired by the treaty) were entirely unadapted to slave labor, and therefore we needed no restriction on the subject of slavery in reference to it. Mr. Webster in his great speech of March 7, 1850, it will be recollected, declared that it wanted no Wilmot proviso to settle the question of slavery or no slavery in those regions—the God of Nature had settled it at the creation.

It is not a little singular that Mr. Webster and Mr. Dayton were then, also, on opposite sides.

An attempt was now made to organize territorial governments for Oregon, California and New Mexico. Various amendments being offered, and the slave question being again brought up, a compromise committee was appointed, to whom all the bills were referred. Mr. Clayton was chairman, and the other members were Messrs. Bright, Calhoun, Clarke, Atchinson, Phelps, Dickinson and Underwood. They were appointed July 11th, 1848, and on July 19th reported an omnibus bill of thirty-seven sections, to establish the territorial governments of Oregon, California and New Mexico. This bill, so far as related to Oregon, continued in force the provisional laws enacted by the people of that Territory (which prohibited slavery), until three months after the first meeting of the territorial legislature, and so far as

related to California and New Mexico, it left the question of slavery in *statu quo*, and prohibited any action on the subject by the provisional legislative bodies created by the act, leaving that question, as the committee said, to be settled by the Judges, with an appeal to the Supreme Court. If the right to carry and to hold slaves in those Territories really existed, the Court would so decide; if *not*, not. And in this way the committee believed the question would settle itself without further agitating the country.

Mr. Dayton voted against this bill. He was opposed to any legislation, *actively to be adopted* by Congress, which should continue in doubt the status of those new territories as to slavery. He was also especially opposed to any legislation which should throw the question upon the Supreme Court. On this last point his observations are noteworthy. He said :

“ But, again, for one, I feel an utter aversion, an invincible repugnance to throwing, unnecessarily, the decision of this exciting question upon the Supreme Court of the United States. Let us blow off our own political steam. and that of our excited constituents, if we can. That Court is the sheet anchor of the hopes of conservatism in this country; if public feeling be excited—as it is said to be—I do not wish unnecessarily to see that Court stagger under the weight of this question. I do not want to see that Court forced into a position where it will have to decide an exciting question, having fifteen States of this Union upon one side, and fifteen upon the other. Drag that Court and your Judges into this scene of political strife, and the consequences may yet be deplored by us all.

“ We cannot even hope, if we judge of the mind of the Supreme Court from the contrariety of opinion we have had here, that there will be unanimity upon that bench; and if not unanimity, this question will be tried over and over again. Appointments to the bench will be made in reference to it. You will then, sir, have dragged this tribunal—our last, our only hope—into the scene of political strife, and the end may be that you will see its dead body fastened to the triumphant car of one political party, as it shall ride over the prostrate principles and down-trodden battlements of the other.”

The bill passed the Senate the same day (July 26th, 1848) 33 to 22; but in the House, it was contended by leading Whig members A. H. Stephens of Georgia in the number, that all the bill did was to postpone the question, not to settle it, or to give any peace to the country; and two days afterwards it was laid on the table by a vote of 114 to 96. This session passed without effecting any legislation for the new territories. A territorial act was passed for Oregon in August.

In the second session of the thirtieth Congress, ending March 3d, 1849, being the first session after the discovery of gold in California, and after the rush of an immense emigration thither, an attempt was made to admit California and all of New Mexico west of the Rio Grande, as a State. This Mr. Dayton, as well as the committee to whom the matter was referred, opposed. He thought the country was not yet prepared for a State Government, that the boundaries proposed were too extensive and vague, and that Congress could not constitutionally *create*, although it might *admit*, a new State. That the proper course was to establish first a territorial government, and when the population came, admit them as a State. An attempt was also made to extend the constitution over those territories and all such general laws of Congress as might be applicable to their condition. This Mr. Dayton opposed, on the ground that the constitution could not be extended by a mere law over territories where it did not operate *proprio vigore*; and that so to extend it, if it could be done, would, according to the views of Southern men, alter the status of the territories as to slavery. He would not have any such alteration made until the proper time should come for affixing a definite form to the institutions or government of those regions.

Nothing was done for the new territories at this session, except to extend the revenue laws to California, and direct that all infractions thereof should be tried in the District Court of Oregon.

Thus we are brought down to the administration of Gen. Taylor, and to the last session of Congress in which Mr. Dayton occupied a seat in the Senate. The duty of settling the grave and solemn questions which had been gathering to a head for several years was thus thrown upon the new administration. The President called around him as his constitutional advisers Messrs. Clayton, Meredith, Crawford, Preston, Collamer, Reverdy Johnson and Ewing. He was a Southern planter, and a blunt honest soldier, and true patriot. If ever man wished to do right, and that which was best for the whole country it was Zachary Taylor.

The final conflict came and the great and enduring compromise (as it was then supposed) was made at the first session of Congress which assembled under his administration.

Congress met as usual, on the first Monday in December, but the

house was not organized till Saturday the 24th of December, when Howell Cobb was elected speaker over Mr. Winthrop, by a plurality vote of 102 to 99, with 20 scattering.

The first message of President Taylor, was presented on the 24th. In it the President stated that the people of California, impelled by the necessities of their political condition, had recently met in Convention, (September, 1849) for the purpose of forming a Constitution and State Government; and it was believed they would shortly apply for admission into the Union as a State. Should they do so, he recommended their application to the favorable consideration of Congress.

The people of New Mexico, he stated, would also probably soon ask for like admission into the Union.

By awaiting their action, all causes of uneasiness might be avoided, and confidence and kind feeling preserved. With the view of maintaining the harmony and tranquility so dear to all, we should abstain, said the President, from the introduction of those exciting topics of a sectional character, which have hitherto produced painful apprehensions in the public mind; and he repeated the solemn warning of Washington, against furnishing any ground for characterizing parties by geographical discriminations.

But, notwithstanding this attempt of the President to nullify the political elements, they soon began to gather themselves preparatory to a terrible storm, and the compromise bills were not finally passed until the following September.

This session of Congress, the first and only one under President Taylor's administration, as it was one of the longest, it was one of the most eventful and exciting ever held. It continued until the last day of September, 1850. It comprised all the great statesmen of that generation. Clay, Webster and Calhoun were there at its commencement, and each partook largely, and bore an important part, in its deliberations. Berrien, Benton, Cass, Chase, Douglass, Phelps, Seward, Badger, and Sam Houston were there. New Jersey was worthily represented by Messrs. Dayton and Miller. Mr. Calhoun made his last great efforts in this session, and died on the last day of March. The death of the President occurred on the 9th of July, and Mr. Fillmore left the Senate to assume the duties of the presi-

dency; and on the 22d, Mr. Webster was called to preside over the Department of State. Mr. Clay remained until the adjournment. The work of this session seemed to be the summing up of the great drama in which he and his illustrious compeers had so long been the chief actors.

The problem to be solved, if it could be solved, was, the settlement of the contest between the adherents of slavery, and those who desired to abolish or restrain it. It involved several distinct questions. One was, whether slavery should or should not be permitted in the new territories acquired from Mexico. Another related to the true boundary of Texas. A third was as to the abolition of slavery and the slave trade in the district of Columbia. And the fourth, was the demand of the South for the passage of a more stringent law, for the rendition of fugitive slaves.

The first of these questions, had become ramified into several branches. It was well understood, and conceded, that Texas was slave territory; but the boundaries of Texas were disputed. Slavery had been abolished by Mexico; and hence it was contended by the anti-slavery portion of Congress, that all those territories which came to us directly from the recent cessions of territory by that country, were free. And although the extreme Southern element insisted that the citizens of slave states, had a constitutional right to emigrate with their slave property, as well as their other property, into all the government territories, yet they did not like to yield a certainty of right in whatever territory Texas was justly entitled to. Hence the settlement of the boundaries between Texas and New Mexico, was one of the difficult things to be determined. Again, the anti-slavery members insisted on the insertion of the Wilmot Proviso, into any acts passed for the government of Utah and New Mexico. As for California, her people had adopted a constitution prohibiting slavery forever, and early in the session her representatives applied for her admission into the Union. The President communicated this constitution and request to both Houses of Congress, on the 13th of February. He had alluded to the subject, as we have seen, in his annual message, and had recommended the admission of the State, without waiting for New Mexico and Utah.

This indicated the policy of the administration, to settle each

question upon its own merits as it arose. But this was not satisfactory to the South, nor to many of those who wished to effect a general compromise of the whole subject. Mr. Calhoun strenuously insisted that the Southern States could not remain in the Union with safety or honor, unless they had sufficient guaranties for the protection of their institution; and that no guaranties would be sufficient short of an amendment to the constitution. A large party led by Mr. Clay, deemed it feasible (as had been done by the Missouri Compromise) to allay the whole agitation by a general system of compromise measures, embracing all the subjects of controversy. Deferring, for this purpose, to those who advocated the Southern interests, they were opposed to the admission of California, with the constitution adopted by her, without at the same time maturing satisfactory dispositions of the other contested subjects.

On the 29th of January, Mr. Clay, who was not very ardently disposed to co-operate harmoniously with the administration, introduced a series of resolutions which in the main, formed the basis of what was afterwards agreed to. They declared that California ought to be admitted as a State, with the constitution which she had adopted; that governments ought to be organized in the other territories, without any restriction whatever for or against slavery; that Texas should extend Westerly to the Rio Grande, and Northerly to a line drawn from El Paso, to the South West angle of the Indian territory; (this was afterwards extended farther North) that the slave trade should be prohibited in the District of Columbia, but that slavery should not be abolished therein without the consent of Maryland; that a more effective law for the surrender of fugitive slaves should be passed. Mr. Clay sustained these resolutions, both at the time of their introduction and afterwards, by some of his ablest efforts. On the 4th of March, Mr. Calhoun made his great speech on the subject, which was read by Mr. Mason. On the 7th of March, Mr. Webster delivered that magnificent speech, which, it has always appeared to me, was his greatest senatorial effort.

Bills were introduced on the various subjects referred to, and a general committee was, finally appointed, with Mr. Clay at its head, who recommended their passage. In the end, however, they were all passed as separate laws, except those relating to the boundary of

Texas and the boundaries and government of New Mexico, which were united into one bill. Perhaps the fugitive slave law excited more opposition than any of the others.

Mr. Dayton, in these discussions, advocated generally the views of the President,—rather than the compromise projects of Mr. Clay and others. He expressed the belief that when the excited state of public feeling could be a little becalmed, there was really but little to quarrel about, and no necessity for a grand effort at compromise. His speech on the 23d of March, contained a very able argument in favor of the admission of California with the Constitution, which she had adopted. It also contained a strong argument against many of the features of the proposed fugitive slave bill. As to the other territories, New Mexico and Deseret, he thought there was no occasion to be in haste to provide governments for them. Let them stand as they are. As to what he should do when bills should be presented for that purpose, he remarked as follows :

“Well, Mr. President, I shall be asked, what then? will you vote for the Wilmot Proviso? Is that your principle? My answer is, that I am willing for the present—to stand upon the doctrine of “non-intervention” as to New Mexico and Deseret. But if you force me to a vote on this question; if a territorial bill be presented, and the ordinance of 1789 is moved, I will vote for it; but if voted down, I may yet vote for the bill; that will depend upon other circumstances. I have no doubt that the power to insert the ordinance exists. The power has been often exercised, but I do not care to see it exercised now in this case, if you are willing to stand upon the doctrine of “non-intervention. But then it will be asked, do you think slavery will go into the territories? If you do not, why should you vote for the Proviso? I do not think that slavery will go into these territories as a permanent or *principal* institution. Still, I think that if you will fill Texas with slaves up to the line, they will go over, just as they went into Illinois, where, at the last census, there seemed to be still some three hundred and twenty-odd. But if there were doubt in my mind, I confess a strong repugnance to having my vote stand on the record against the application of the ordinance of 1787, to territory now free; posterity will not stop to analyze very closely our reasons, or scrutinize our motives, but the vote will stand on record, carrying with it its own malconstruction. If it is understood that slavery cannot reach that country, it seems to me that the question has come down to a small point indeed. Why not insert the Proviso? We are told that it will offend the South; that it will touch their sensibilities. Now I do not want to do that; and yet if it be a question of sensibility between the North and the South, I suppose that I may say that there are as many persons in the North whose sensibilities will be touched by its omission, as there are persons in the South whose sensibilities will be touched by its

insertion. But now this great question (if it be admitted that slavery cannot go there) is whittled down to a point like this—a question of delicacy, a point of etiquette between the North and the South, and we have had all this war of words and intense excitement about a question of this kind. Why, California out of the way, never was there such an insignificant cause for such an uproar. We have the North and South contending with each other to desperation, upon the small chance (an admitted decimal only) of slavery going where it is said it cannot—into these territories now free. The subject matter is not worth the effort; “the play is not worth the candles.” * * *

“Let us dispose of California first, and then the fugitive slave bill; we will thus have gotten rid of two of the greater elements of excitement. Then as to New Mexico and Deseret, let them alone; the South cannot very well secede, because we do nothing. In the meantime Nature will work off the disease itself. It is true the country will be fevered a little longer by this process, but that is better than any legislative pill or bolus, “warranted to kill or cure.” Let nature take her course, and she will work her way through without ultimate injury to the constitution of the patient. The territories will take care of themselves.” * * *

“I have no idea, Mr. President, that any considerable portion of the people of this country, desire disunion. At the North I am sure they do not; and the South, I think, can have no wish, with a view of getting rid of trivial evils, to rush into a state of things that will multiply them a thousand fold.”

On the 11th and 12th of June, 1850, Mr. Dayton addressed the Senate on the compromise measures; objecting that they really effected nothing, but left the main question of difference, viz., slavery in the territories, to be disputed about and determined hereafter. He took strong ground in favor of the President's recommendation to treat the admission of California as a separate and distinct measure, standing on its own merits; and to consider and decide upon the establishment of territorial governments in Utah and New Mexico, and the establishment of the Texan boundary, as questions distinct from the other. He regarded the union of these measures into one bill (as recommended by Mr. Clay's committee), as a log-rolling device, intended to avoid the application of the Wilmot Proviso to the new territories, and thus to evade the most vital question of the day. He warned the Senate that the principles of this Proviso could not be quietly laid and disposed of in this manner. As to the necessity of territorial governments for these territories at this time, he doubted it; and he utterly repudiated, and by very strong argument disproved, the title of Texas to any part of New Mexico, for which it was proposed to give her several millions of

dollars. He also condemned the severity of the Fugitive Slave Law reported by the committee, and pointed out its unjust features and arbitrary character: that it gave a claimant power, on his own affidavit, taken *ex parte* in a slave state, to seize a colored person as his slave in a free state, without trial by judge or jury; and thus compromised the dignity of the free states and took from them that prerogative of protection over their own citizens and inhabitants, which no state, whatever its obligations to other states, can surrender without dishonor.

This speech made a deep impression upon the Senate. Senator Foote, of Mississippi, very broadly hinted that in delivering it Mr. Dayton's eye was fixed on the other end of the avenue, and the rewards an administration always has at its command. "Whatever impression," said he, "the Honorable Senator from New Jersey may have made upon this body, or at this end of the avenue, in regard to the general soundness of his views, or in relation to the loftiness of his own motives (which I certainly shall not for a moment call in question), I feel certain that within the last twenty-four hours the Honorable gentleman has said enough, in that very able and eloquent speech to which we have been listening for the greatest part of two days, to establish the strongest and most lasting claims to the respect, friendship, and *gratitude* of certain official personages to be found at the other end of the avenue, in behalf of whom, and in defence of whose policy he has displayed a zealous devotedness which, if it should not be adequately requited in some way, I will think worse of human nature as long as I live. I say, sir, and I say it with profound sincerity and seriousness, that if the Honorable Senator from New Jersey shall not find hereafter that his generous exertions on this occasion are gratefully appreciated in a certain high quarter, he will, in my judgment, have much reason to complain of the coldness and injustice of those to whose rescue he has come at a moment when it was so necessary that they should be defended against the furious assaults which they are constantly receiving here and elsewhere."

Mr. Dayton replied with becoming dignity :

"I wish," said he, "to say in reply, but a word or two, and that will be only to express my entire ignorance of what the Senator means by his allusions to a

proper appreciation elsewhere of the value of my services, or by political rewards; and further to express my great regret, that the Senator from Mississippi should have thought it necessary and proper to refer here to anything of the kind. I repeat, sir, I do not know what the Senator means. I am profoundly ignorant of the point or intent of his insinuation. I can only say, sir, that I have spoken my own sentiments, and not the sentiments of another. I have not been much in the habit of intruding them frequently upon the Senate, perhaps as rarely as most gentlemen of this body. I have spoken earnestly, for that, is my temperament and habit; but I trust, with sufficient modesty, and a due regard to others, seeking no political rewards, and no recognition of services, valuable or otherwise, and caring nothing for such recognition one way or the other."

The speech, as I have said, produced a profound impression. It contained a great deal of solid argument, and sound sense; and much attention was given by subsequent speakers, who advocated the omnibus bill, to attempts at answering its positions.

The result of it all was, that although the omnibus bill of Mr. Clay was defeated, separate bills were passed and became laws on the 9th day of September, 1850. which embodied most of the provisions of that bill; and on the 18th of the same month, the fugitive slave bill; and on the 20th, the bill to suppress the slave trade in the District of Columbia, also became laws.

Thus was effected the third Great Compromise between the North and the South—all of which, as we have seen, have failed to ward off that awful conflict which has been enacted in our own days.

It may be well questioned whether Mr. Dayton was not right in counseling action in each case as it might arise, and meeting it manfully under a sense of duty to the country and the constitution.

In reviewing Mr. Dayton's senatorial career, we may briefly say: that he always frankly expressed, and ably enforced his own convictions on all the political issues of the day; that he was original in his conceptions, independent in his positions and dignified and courteous in his bearing; and, withal, was devotedly attached to the honor and dignity of his country, and to the inviolability of the Union. He fitly represented the noble state which selected him, and achieved for himself an honorable distinction among her many worthy sons who have occupied the same position.

For several years after his return to private life, Mr. Dayton assiduously devoted himself to the pursuits of his profession, being

almost invariably employed on one side or the other of every important cause litigated in the state courts.

In 1845, he was selected as one of the revisers of the state laws, in connection with Chancellor Green, Hon. P. D. Vroom and Judge Potts. The work of this commission was issued in 1847, in the volume of Revised Statutes, then published. In 1857, he was appointed Attorney General of the State, and occupied that position until he assumed the duties of minister plenipotentiary to France.

In 1856, he received the nomination of his party for Vice President, on the same ticket with Col. Fremont, being the first presentation of a National ticket, by the Republican party. Mr. Dayton was well understood to be conservative in his views, and perhaps it was on this account that he was chosen, to counter-balance in some measure the supposed radical tendencies of Col. Fremont. But the ticket was unsuccessful. Mr. Buchanan was elected President, and we had one more Presidential term, in which the politicians of the South were assiduously deferred to, and every attempt made to conciliate its people.

But all to no purpose. The great political whirlwind of 1860, carried into office the representative of the new party, and the southern states were goaded on by the inflammatory appeals of their political leaders, to carry out their long continued threats of disunion.

Mr. Dayton's part in the events which followed was a most important and trying one, and one which fitly became the crowning glory of his life; yet to which the nature of this address, will allow us to devote but a limited space.*

In March 1861, he was appointed by President Lincoln, minister plenipotentiary to France, at that time one of the most responsible positions in the gift of the Government. He arrived at his post on the 11th of May, and immediately put himself in communication with the French Government, then represented in the bureau of Foreign affairs by Mr. Thouvenel. He applied for an early presentation to the Emperor, which was granted on the 19th of the same month.

* A more detailed account of Mr. Dayton's services as minister to France, is given by Mr. Elmer in his "Sketches of the Bench and Bar of New Jersey," published by the Society since the preparation of this address.

This interview was very satisfactory to Mr. Dayton. The Emperor after a courteous welcome and some remarks personally complimentary to himself, said, in substance, that he felt great interest in the condition of things in our country; that he was very anxious our difficulties should be settled amicably, that he had been and yet was ready to offer his kind offices, if such offer would be mutually agreeable to the contending parties, that whatever tended to affect injuriously our interests was detrimental to the interests of France, and that he desired a perpetuation of the Union of the States. From this time forward until his death, Mr. Dayton's personal relations at the French Court were of the most agreeable kind. He very soon acquired the entire confidence of the Emperor and of his ministers in his candor and truth, so much so, that it has been known more than once to occur, when our affairs were under discussion between the Emperor and his minister of foreign affairs, and any question arose as to the exact state of facts, the minister would say—"I know it must be, so your majesty, for Mr. Dayton told me so." This reference was always considered satisfactory. The anecdote speaks well, not only for Mr. Dayton, but for the Emperor's just appreciation of honorable character. Personally he always received the most uniform kindness and consideration at the hands of the Court.

Mr. Dayton's sound sense and discriminating judgment undoubtedly stood the Country he represented in good stead throughout the entire period of his ministry. The most unreserved confidence subsisted between him and M. Druyn De L'Huys. Mr. Dayton never hesitated in impressing upon our government at home the truth of any representations made to him in their intercourse. Nor was he deceived. He had too much of the respect of M. Druyn De L'Huys and the Emperor, to be made the object of deception.

The course taken by the imperial government in recognizing with England the belligerent rights of the South, was not satisfactory to Mr. Dayton, nor to our government, it is true, but it was frankly communicated, and the reasons for it plausibly urged.

We have great reason to be gratified at the manner in which our foreign affairs were managed at Paris, as well as in England. Such was the eagerness of the English and French people to do us injury, and to profit by our misfortunes, that any thing else than very

able, efficient, and assiduous representatives, on our behalf, at the English and French Courts, must have resulted in disastrous consequences.

Mr. Dayton lived to receive the welcome news of the victorious progress of our arms under Generals Sherman and Thomas in the South West; and the firm grasp which General Grant, with the army of the Potomac had secured on the central power of the Confederacy at Richmond. The dire civil strife in which the country had been so long engaged, was nearly over, and the friends of the Union had begun to congratulate themselves upon the approaching restoration of the national authority, and return of peace. But Mr. Dayton, who had the ultimate triumph of the cause so much at heart, was not permitted to see the end. On December 1st, 1864, he died suddenly at Paris whilst making an evening call at the rooms of a friend. His death, so sudden, so unexpected, produced a painful shock both in France and in this Country, and most of all, in this his native State. What a mysterious Providence! In the full vigor and maturity of body and mind, in the very culmination of his large intellect, he instantaneously dropped out of this busy scene. There was no decline of his powers, physical or mental. His sun went down at noon-day. Without a warning, without a farewell to his family or his friends, he ceased to live. Is this, or is it not, a happy termination of earthly existence? It may be deemed a difficult question to decide. But it leaves one very forcible impression on the mind—this cannot be the end. It cannot be possible, that such faculties, and powers of action and enjoyment can be instantly annihilated. Either there is no Supreme Ruler and Governor of all, or the soul must be immortal.

It is unnecessary to attempt a portraiture of his character. If successful in sketching his life, I have sketched his character. Every man's life is the true expression of his character. He draws it himself. There it is, as he made it. And that of our deceased friend needs no touches of the pencil to embellish his.

The estimation in which he was held at home is well known to us all. Neither does anything need to be added on that subject. But it is proper, perhaps, to call attention for a moment to the estimation in which he was held abroad.

The Paris "Constitutional," on announcing his death in a semi-official notice, said :

"Mr. Dayton, prematurely removed from the esteem of all who knew him, carries away universal regret. As we have already said, the honorable diplomatist was one of the inheritors of the wise and noble traditions bequeathed to their country and to history by the founders and the chief statesmen of the American Republic. He belonged to the school of Washington and Franklin. A Minister in France while his country was passing through the most terrible crisis, and amid delicate circumstances, Mr. Dayton avoided, by the courtesy of his manners, the prudence of his language and the moderation of his mind, many complications and embarrassments. The United States lose in Mr. Dayton an eminent citizen, and to-morrow we shall accompany with respect the coffin of the wise politician and the honest man."

The Paris "Debats" speaks as follows :

In a delicate position, the representative of a country torn by civil war, and often impeded by skillful adversaries, we find Mr. Dayton acting with a prudence and measure that cannot be too highly praised. It must be admitted, too, that he found in M. Druyn De L'Huys a minister of foreign affairs who had not forgotten the old traditions of friendship between France and the United States, and that the greatest difficulties are easily settled when there is on both sides perfect candor and a sincere desire to mutually avoid everything that can envenom excellent and old-established relations. But we shall be contradicted by no one when we affirm that the upright conduct and frankness of Mr. Dayton contributed to a great extent to the cordiality which has prevailed between the two countries.

The "Opinion Nationale," after giving a sketch of the deceased Minister's life and public services, added :

"The honorable gentlemen fulfilled his diplomatic functions with a rectitude and tact which procured him the esteem of even his political adversaries; and, assuredly he had to take an active part in a whole series of important and delicate questions. It will suffice to mention the affair of the *Trent*—the repeated visits of the Confederate war vessels to ports of France—the different phases of the Mexican expedition—the offers of European mediation rejected by the United States—and the building of war vessels for the South at Nantes and Bordeaux. In all these difficult circumstances he always had a safe rule of conduct, an infallible guide—political probity."

These eulogies give but a fair indication of the esteem in which our deceased friend was held by the eminent statesmen with whom he came in contact, in the country to which he was accredited.

His name has indeed been inscribed on the roll of the **HONORABLE DEAD.**

Mr. Dayton at the time of his death, was fifty-seven years of age. Though not old in years, his life was a full, well rounded life. Depending, from the first, mainly on his own exertions, and ever faithful to his own cherished doctrine of the virtue of self-reliance, he performed his part ably and well. By his own efforts he advanced progressively from one degree of eminence and dignity to another. His influence on his generation was healthful and beneficent. He left his children a legacy of honor in the heritage of an unsullied name, and of inestimable value, in the lessons of his own self-reliant life. To his State and Country, his career adds another to that roll of bright examples, which so gloriously illustrates the excellence of our free institutions, in producing the highest and purest forms of individual character and exalted public virtue.

PROCEEDINGS
OF THE
New Jersey Historical Society.

SECOND SERIES.

VOL. IV.

1876.

No. 3.

TRENTON, January 20th, 1876.

THE SOCIETY held its annual meeting in accordance with the By-Laws at 12 M. in the rooms of the Trenton Board of Trade. The President being absent, the first Vice President, the Rev. SAMUEL M. HAMILL, D. D., took the chair

The minutes of the last meeting were read and approved.

Mr. W. A. WHITEHEAD, the Corresponding Secretary, presented the correspondence since May. Among many others received were letters from numerous gentlemen accepting membership; from the Hon. Henry W. Green, LL.D., the President, declining a reelection on account of ill health; from the Historical Societies of Long Island, Iowa, New York, Vermont, Maine, Delaware, Georgia, Missouri, Montana, New England Historic Genealogical, American Antiquarian Society, Smithsonian Institution, Yale College, American College of Heraldry, Medical Society of New Jersey, and American Numismatic Society, either acknowledging the receipt of the Society's publications or transmitting theirs for the library; from Mr. James Swinburne, of Paterson, enquiring for the true Arms of the State; Mr. James Grant, of Philadelphia, desiring copies of poetical contributions of the ornithologist Alexander Wilson to the Newark Centinel in 1801, when he was residing at Bloomfield; the Hon. John Clement, of Haddonfield, relating to his researches into the history of the West Jersey Society, and transmitting a copy of a rare manuscript;

from the U. S. Bureau of Education asking for the statistics of the Society ; from the Department of the Interior with fifty volumes of Public Documents and the U. S. Statistical Atlas ; from Mr. Samuel Hood, of Philadelphia, asking for a publication of the Society for the Magie College of Londonderry, Ireland ; from Messrs. W. H. Molleson, of Bound Brook ; George L. Catlin, of Paterson ; Henry H. Browne, of New York ; Rev. J. F. Tuttle, of Wabash College ; A. Remsen Thompson and O. S. Baldwin, of New York ; Thos. G. Bunnell, of Newton Herald ; Cheswell and Wurtz, of Paterson Press ; C. C. Dawson, of Plainfield ; State of Delaware and General Watts DeDeyster, with donations for the library ; from Mr. James Riker, Waverly, N. Y., wishing a copy of George Carteret's will ; from American Philosophical Society, Philadelphia, regretting their inability to furnish some of their publications ; from the Trustees of the Boston Public Library with memorial to Congress asking for an appropriation to print a topical index to the Public Documents ; from Major C. W. Robinson, of the British Army, seeking information relative to the services of the "Queen's Rangers" during the Revolution ; from Mr. Ross Spooner, of Reading, Ohio, relating to a projected genealogy of that family ; from Mr. Reginald Wilson, of Brooklyn, L. I., enquiring after one John Wilson, who emigrated to New Jersey from the North of Ireland ; General Wm. S. Stryker, relative to the family of Col. John Doughty, of Morristown ; John S. Clark, referring to the descendants of Daniel Clark, of Windsor, Conn. ; H. G. Ashmead, making enquiries after the Scull, Hullfish and Whitlock families ; Cornelius C. Baldwin, of Balcony Fall, Va., seeking information of the Baldwins in New Jersey ; from Nathaniel Niles and John C. Barron, of New York, referring to the Barron legacy ; and from various other parties in relation to the business of the Society. The extent and character of the correspondence showed that the relations of the Society with kindred associations and with gentlemen engaged in historical researches, were becoming of more and more importance, and productive of beneficial results that were ever increasing.

THE EXECUTIVE COMMITTEE presented their report as follows :

"The Executive Committee have the satisfaction of formally reporting, what the members present may have had opportunities to

observe for themselves, that, the year which has passed has not subtracted anything from the estimation in which the Society is held by all familiar with its workings. Both within and without the State it is recognized as an efficient instrument in preserving and perpetuating the recorded history of New Jersey, in a way both satisfactory and effectual. We gather facts and illustrations, not simply to indulge our own antiquarian or historical tastes, but, with the view of placing them where they can be rendered most subservient to the ends of those who, in their endeavors to promote the future well-being of the communities their ancestors helped to establish, would draw from the past all available lessons of warning or encouragement. The reports of the Committees and of the officers that will be submitted, will present the details from which a correct judgment may be formed of the progress which has been made, quietly and unobtrusively, in furthering the aims of the Society.

"It is gratifying to the Committee to be authorized to announce to the Society an occurrence, which they trust is to be followed by many others of a similar character, alike conducive to its welfare and honorable to those concerned. By the will of the late Mr. THOMAS BARRON, of New York city, who died on the 31st of August last, the Society is entitled to receive from his estate the sum of five thousand dollars, untrammelled by any provisions, a legacy, as unexpected as it is liberal. Mr. Barron, although a Jerseyman by birth, was not identified with the Society until May, 1871, when he was elected a corresponding member. To that circumstance may be attributed his remembrance of us in his will. From his long residence beyond the precincts of the State it is probable that he was known to only a few of our members, and the Committee are therefore pleased to be able to furnish a brief sketch of the career of one whose name will ever be associated with the distinction of having been the first to aid the Society in so substantial a manner.

"THOMAS BARRON was born in Woodbridge, Middlesex county, on June 10th, 1790. Both his father (Joseph) and grandfather (Samuel) were prominent citizens of the village, and at the age of ten or twelve he entered upon his mercantile career in the country store that his father then kept. Before he had attained to man's estate he formed a project for engaging in commercial pursuits on the waters

of the upper Mississippi, with a view of trading thence to New Orleans, but was deterred by the solicitation of his parents, and on reaching his majority engaged in business in New York on his own account. He had several vessels sailing between that city and West Indian ports, and on one occasion made a voyage himself to Martinique. At the close of the war with England, Mr. Barron carried out his early intent of connecting himself with the traffic of the Mississippi by establishing himself in business at New Orleans, and soon secured for himself the confidence of the community and eventually amassed a handsome property. For the first ten years he remained in New Orleans without ever visiting the North, although at that time the yellow fever was an annual visitor, but thereafter made a visit once a year to his native town. He became a director of the branch of the old United States Bank at New Orleans, and was frequently solicited to accept positions of honor and trust, which he generally declined.

"To Mr. Barron must be accorded the credit of having by his foresight and energy opened an avenue to mercantile renown at the South which many from Rahway, Newark, and other places frequently travelled. It is believed that the success which crowned his exertions first induced the establishment at New Orleans of branches of several manufacturing houses from New Jersey, and laid that foundation upon which in after years such an extensive and noble superstructure of business qualifications and relations was erected.

"He returned to New York in 1836, and established a banking house, from which, however, he retired the ensuing year—foreseeing the financial difficulties approaching, and carrying out the views expressed by him in a letter to his father, written in 1827, on hearing that a former partner whose interest he had purchased for fifty thousand dollars, had failed, and involved his family in distress. "When I reflect," he wrote, that all the money I have paid him and which I earned with much fatigue and anxiety, is lost, and his family have now nothing to depend upon, I feel sorry; and think how much better it is to retire from the hazardous pursuits of trade as soon as a person is able to do so."

"Although his good judgment and remarkable insight into financial matters were generally recognized, rendering his coöperation in

business enterprises often desired. Mr. Barron preferred leading a retired life, devoting much of his time to books, he had a very retentive memory and conversed well on most scientific subjects, towards the close of his life taking an especial interest in astronomy. He was of a very modest and retiring, but of a highly genial disposition—quiet, affable and popular in his manners, generous in his impulses and benevolent in his acts. His private benefactions were numerous and liberal, and were bestowed so unostentatiously that the knowledge of them seldom extended beyond their recipients and himself. One of his intimate acquaintances of forty years, says of him :

“ ‘If I knew of any one needing assistance he took it as a favor to be informed of the case and to be allowed to share in its alleviation. I had only to suggest some object worthy of his charitable regard to enlist his prompt and generous action. There was a daily beauty in his life through all the years of our long acquaintance. To see him anywhere, at home or abroad, to listen to his kindly greeting, and feel the warm pressure of his friendly hand, was like a benediction.

“ ‘The charm of his character was its evident truthfulness and sincerity. His temper was naturally quiet and strong, but I never saw him for a moment mastered by it. A cheerful serenity was his habitual manifestation, no matter how disturbing the circumstances which tested its equability.’ ”

“ ‘He wrote much,’ says Mr. John C. Barron, a nephew, to whom the Committee are indebted for much of the foregoing information, “not only keeping a daily journal, but jotting down whatever struck him as worth recording. I have in my possession his journals covering nearly thirty years. He also kept for his private accounts a full set of double-entry books. I mention these particulars to show how much he accomplished and yet had time for necessary exercise and amusement, energy and painstaking characterizing every thing he did; and if we believe with Ruskin that ‘genius is a talent for taking pains,’ then *he* had genius. His favorite amusement was angling, in which he excelled, and he fished with as much zest at eighty-three as at forty-years of age. At one time he kept a boat and man at Trenton, and would leave the city in the morning, returning in the evening, after a day’s amusement with the rod. At

other times he would drive to Hackensack Bridge or to McComb's Dam for the same purpose.' "

"From the beginning of the civil war Mr. Barron performed his duty as an American citizen with a full appreciation of his responsibilities, notwithstanding the affiliations and influences of so many years of his life spent at the South. He gave freely to the Sanitary Committee and toward the outfit of several regiments in New York, and also defrayed the expense of sending a company from his native town. At the darkest period of the struggle he subscribed largely to the public securities and used his influence effectually in inducing others to follow his example.

"Mr. Barron never married. He left a large estate, bestowing several liberal sums upon a number of charitable and literary institutions and bequeathing to the town authorities of Woodbridge fifty thousand dollars for a public library. He was buried quietly and simply in accordance with his request at the home of his childhood and with his kindred, and quoting the language of Mr. John C. Barron, we may say, 'although his mortal remains are laid to rest and are ever dead to us, yet loving memories in human beauty, made grateful for his teachings, his example and his loving kindness, will long survive him.'

"Mr. Barron also verbally, requested that a portrait of himself when about forty years of age, should likewise be presented to the Society, and it now adds to the attractions of our rooms at Newark. It was painted by Durand, of whose celebrity as an artist his fellow Jersey men may be proud.

"Since the last meeting the members of the Society have had to lament the death of their friend and associate, Mr. David A. Hayes, of Newark, whose name will be found enrolled among the original members of 1845. He was elected Recording Secretary in January, 1849, and was always active and efficient, regular in his attendance at our meetings and solicitous to advance in every way the interests of the Society. He died on the 11th of November last, after a brief illness."

"The Committee commend the interests of the Society to their fellow members. A debt of gratitude is due to its founders which

can only be repaid by a devotion to its advancement such as they exhibited."

THE COMMITTEE ON THE LIBRARY reported a constant increase of volumes in the Library, and that additional accommodations for present and prospective accumulations are imperatively demanded. A large number of pamphlets and files of valuable newspapers required binding, and the written catalogue was nearly in a state to be printed, calling for some additional monetary resources upon which to draw.

The Committee reminded the members, as had frequently been done in previous reports, that a valuable service can be rendered to the Society by rescuing manuscripts and newspapers from the lumber in many unexplored garrets in the State. Letters were formerly made the vehicles of information respecting local affairs and private undertakings, which to-day—to too great an extent perhaps—is found in the newspapers, and consequently many collections of old manuscripts, that have laid undisturbed for years in old boxes and trunks, abound in references to individuals and events, which are nowhere else to be found, and to all such the Society would ever accord a gracious reception.

Nor is it too late even to look for new documentary evidence touching important facts in our early history, and the Committee were pleased to acknowledge the receipt of one such since the last meeting from the Hon. John Clement, a member of the Executive Committee.

Through the researches of Judge Clement, it became known, not long since, that in some subterranean recesses of the State House at Trenton, there were many old manuscripts which, by the remissness of some unknown officials in other years, had been left there to moulder and decay. These had recently been disentombed, and among them was one of peculiar interest, of which they had secured a copy.

"It is well understood," said the Committee in their Report, "that Nicolls, the first Governor of the Duke of York was much chagrined at his master's parting with the province of New Jersey to Berkley and Carteret, conceiving it to comprise as he expressed himself, 'all the improvable part' of the Duke's patent, and that he was in

favor, after the transfer was made, of effecting an exchange with them, giving them instead of the province as described in their grant from the Duke, "all that tract of land to the West side and East side of Delaware River, which was recovered to His Majesties dominions from the Burgemasters of Amsterdam, which was twenty miles distance from each side of the River." (N. Y. Col. Docs. III p. 114.)

"Within a few years, by the publication of the correspondence of John Winthrop by the Massachusetts Historical Society, it has become known that in 1669 an agreement was entered into, whereby, in the language of the letter of Samuel Maverick, communicating the intelligence, 'New Jersey is returned to His Royall Highnes, by exchange for Delawar, as Sir George Carterett writes to his cousin, the present Governour, some tract of land on this side the river & on the other side, to reach to Maryland bounds.' (Mass. Hist. Soc. Coll. VII., 4th Series, p. 319.) Circumstances, the full particulars of which are wanting, caused this agreement to fail of consummation, and, from the light thrown upon it by the newly discovered document, it was a fortunate result.

"This document is an informal draft, in the handwriting of James Bollen, Secretary of the Province under Carteret, of the conditions agreed upon between the Duke of York and Berkley and Carteret; giving them to us at length for the first time. They may be briefly summarized as follows: The jurisdiction of New York was to be extended southerly along the coast of New Jersey to 'the first entrance on the northeast of Barnegat,' which description must have been intended for Manasquan Inlet. All South of that to Delaware Bay and *up on both sides* of that bay and river to the 'uttermost spring or springs that descend into the said river beyond the falls,'—on the south and west sides, 'all lands, &c., not already granted by his Majesty,' and on the east side forty miles in width from the river—was to become the territory of Berkley and Carteret. Should the forty miles in width 'come within the compass of any part of Pisaihak river,' there should then be five miles allowed of common or neutral ground between the two territories, but all eastward of this boundary, and all the towns then settled—Bergen, New Barbadoes, Newark, Elizabethtown, Wood-

bridge, Shrewsbury, Middletown and New Piscataway, being particularly mentioned—fell to the lot of the Duke, while the towns, forts, &c., on the Delaware became the possessions of Berkley and Carteret.

“It is evident that this agreement was framed in accordance with the representations of Nicolls, which have been referred to, and the extent of the confusion which would have arisen from such ill-defined boundaries, and the clashing interests that would inevitably have existed had it been carried out cannot possibly be imagined.”

The Committee concluded their report by announcing that through the courtesy of the Hon. F. H. Teese, the set of Public Documents placed at the disposal of the Member of Congress from the Fifth District, for deposit in any public library or institution which he may designate, will continue to be sent to the Society during his term of office, thus contributing to the further perfection of the collection which is now complete for more than thirty years.

Since the May meeting of the Society 137 bound volumes, 225 pamphlets, 10 manuscripts, and the consecutive issues of thirteen newspapers of the State, together with other manuscript files, had been received from various donors. Many of these donations were very valuable and interesting.*

THE COMMITTEE ON PUBLICATIONS reported the issue since the last meeting of another number of the Society's Proceedings, being No. 2 of Vol. IV., 2d Series, and bringing down the transactions to the present time. This number contained the interesting memoir of the the Hon. William L. Dayton, by Justice Bradley, and has been sent to all members not in arrears at the time of its publication in accordance with the rule governing their distribution—adopted in May, 1853, which is as follows:

“*Resolved*, That hereafter the Periodical shall not be sent to any person unless previously paid for, and that resident paying members, not in arrears, and those that shall hereafter be elected, shall on the payment of their annual dues receive the numbers for the year without charge; and to such members the back volumes, and to the Honorary, Corresponding and Life members the future volumes shall be furnished at their cost price.”

* See subsequent page for List of Donation.

The Committee urged the members to supply themselves with the volumes composing the Series of the Society's "Collections," while obtainable, as there are only a few copies left of some of them.

THE COMMITTEE ON FINANCE submitted the Treasurer's statement of the financial condition of the Society, showing a balance of cash on hand, December 31st, 1875, of \$1,483.60, and invested assets amounting to \$12,435.57.* In view of the fact that the Newark Board of Trade had removed from the rooms of the Society, thereby entailing an increased expenditure for rent, the Committee thought it probable that the financial result of the coming year would not prove as satisfactory as those of the last two, but it was hoped that the income from the legacy of Mr. Barron, when invested, would go far towards replacing any deficiency in income from other sources. Referring to some incongruities in the By-laws as to the relative powers of the Executive and Library Committees, the Committee suggested the adoption of the following resolution :

Resolved, That until otherwise ordered, the Library Committee are authorized to draw upon the Treasurer for such sums of money as they may deem requisite, to be expended in their discretion, for the purposes of the Library.

The Committee also gave notice of an amendment of Article XI. of the By-laws, to insert after the words "the Librarian and his Assistants," the words—*and for the payment of rent*—in order to obviate the incongruity alluded to. As there was, apparently, a considerable amount of annual dues in arrears, which might be owing to the virtual separation from the Society of many of its members, the Committee also recommended the adoption of the following resolution :

Resolved, That the Chairman of the Executive Committee, the Corresponding and Recording Secretaries and the Treasurer, be a Committee to revise the list of Resident Members, with authority to drop from the rolls the names of such who, having been in arrears for three years, shall neglect or decline further payments after due notice.

Both resolutions were adopted.

* See page 133.

THE COMMITTEE ON NOMINATIONS reported favorably upon a number of gentlemen whose names had been referred to them, who were duly elected, and other nominations were received.

The Chair announced the following Standing Committees for 1876:

Committee on Publications—William A. Whitehead, Samuel H. Pennington, M.D., John Hall, D.D., William B. Kinney, Joseph N. Tuttle.

Committee on Library—Martin R. Dennis, Robert S. Swords, Robert F. Ballantine, W. A. Whitehead, and Abram Coles.

Committee on Finance—Joseph N. Tuttle, Wm. B. Mott, L. Spencer Goble, Charles E. Young, E. Newton Miller.

Committee on Statistics—N. N. Halsted, F. W. Jackson, E. M. Shreve, Arthur Ward, M.D., William Nelson.

Committee on Nominations—Robert S. Swords, David Naar, Robert B. Campfield.

Messrs. Dr. Sheldon, Alex. Wurts and S. K. Wilson were appointed a Committee to nominate officers for the ensuing year, and subsequently reported the following, who were duly elected :

President—REV. SAMUEL M. HAMILL, D.D., of Lawrenceville.

Vice Presidents—WM. B. KINNEY, of Morristown, PETER S. DURYEE, of Newark, JOHN CLEMENT, of Haddonfield.

Corresponding Secretary—WM. A. WHITEHEAD, of Newark.

Recording Secretary—ADOLPHUS P. YOUNG, of Newark.

Treasurer—ROBERT S. SWORDS, of Newark.

Librarian—MARTIN R. DENNIS, of Newark.

Executive Committee—SAMUEL H. PENNINGTON, M.D., of Newark; N. NORRIS HALSTED, of Kearney; JOHN HALL, D.D., of Princeton; SAMUEL ALLISON, of Yardville; THEODORE F. RANDOLPH, of Morristown; HUGH H. BOWNE, of Rahway; JOEL PARKER, of Freehold; JOSEPH N. TUTTLE, of Newark; MARCUS L. WARD, of Newark.

MR. BUCHANAN brought to the notice of the Society a project which had been suggested as worthy of attention during the nation's Centennial year, the collecting of local histories; and after some discussion, on motion of COL. FREESE it was

Resolved, That the President be authorised and requested, with the advice of the Committee on Publications, to appoint some person in each county to prepare a centennial history thereof to be deposited in the archives of the Society.

The Society then took a recess for dinner.

On reassembling, the REV. DR. SHELDON drew the attention of the members to an intended celebration of the Centennial Year at Princeton. He offered a resolution authorizing the Executive Committee to coöperate with the citizens, and requested Mr. Hageman, of Princeton, who was present, to state to the Society what were their views respecting the celebration.

MR. JOHN F. HAGEMAN said that no one could question the propriety of Princeton's celebrating, in a becoming manner, the one hundredth anniversary of the First Constitution of New Jersey, which was adopted on the 2d of July, 1776, two days before the nation's Independence was declared, when it was recollected how much was done to shape the policy of the struggling colonies by the many prominent men who then resided there or in its immediate vicinity. It had furnished two of the signers of the Declaration from the State, Stockton and Witherspoon, and a third, Hart, from its immediate neighborhood. The sessions of the Committee of Safety, the Provincial Congress and the General Congress had at different times been held there, and one of the rare open ground fights took place there. Washington had stemmed the tide of war at Trenton, but it was at Princeton, that he met the enemy in a fair open field and turned back the tide by a decisive engagement; and Princeton's church and college had been used as barracks by both friends and foes. For these and other reasons, which he stated, it seemed appropriate that Princeton should be recognized as a most fitting place for the contemplated celebration.

COL. FREESE stated that a similar celebration was intended to be held in Trenton, not as commemorating solely the events incidental to that place but, as a State celebration, and thought it therefore improper that the Historical Society should give its countenance especially to Princeton. He moved therefore that the resolution be laid upon the table, but withdrew it at the request of Dr. Sheldon, who made some further remarks.

MR. WHITEHEAD then moved to amend the resolution so as to have it refer to both places, and it was thereupon adopted as follows :

WHEREAS, The Society has heard, with deep interest, that the citizens of Trenton and Princeton are arranging for a worthy Centennial Celebration of the Country's History, in this section of the State, which was a scene of conflict and legislation, and to a large degree the centre of patriotic counsel during the period of the revolution : therefore

Resolved, That the Executive Committee devise some plan for the coöperation of this Society in the arrangement, and its proper representation in the proposed celebration, and report at the May meeting.

MR. DENNIS offered the following resolutions .

Resolved, That the members of this Society record with deep regret the death of David A. Hayes, one of its founders, and for more than a quarter of a century its Recording Secretary. In his death they deplore the loss of a Christian gentleman and a warm friend as well as a faithful servant of the Society, and they desire to testify to their appreciation of his character and his services, and to express a sense of their own sorrow at his removal.

Resolved, That the foregoing resolution be entered on the minutes of the Society.

After appropriate remarks from Messrs. DEVEUVE, NELSON, SWORDS, and the PRESIDENT, the resolutions were adopted.

The Society then listened with much interest to a Memoir of the Rev. John Witherspoon, D.D., by the REV. JOHN MACLEAN, D.D of Princeton. In the absence of Dr. Maclean the paper was read by the Corresponding Secretary. The prominent position of Dr. Witherspoon as the sixth President of Princeton College, and his fidelity to the interests of his adopted country from 1768, when he arrived from Scotland, to 1794, when he died, afforded abundant incidents for Dr. Maclean's paper.

Some pertinent remarks were made by COL. SWORDS, the REV. MESSRS. SHELDON and CAMPFIELD and the PRESIDENT, and a vote of thanks was directed to be transmitted to the author.

MR. WILLIAM NELSON then read a brief sketch of GENERAL WILLIAM COLFAX, at one time a Captain of Gen. Washington's body guard, whose remains lie deposited in the vicinity of Pompton, in

this State. This was received with thanks and referred to the Committee on Publications.

On motion of Col. Swords a resolution was passed thanking the Board of Trade, and the Young Men's Christian Association of Trenton, for their courtesy in placing their rooms at the service of the Society. The Society then adjourned to meet in Newark on the third Thursday of May next.

Resident Members Elected

JANUARY 20th, 1876.

Mrs. Thomas W. Adams, *Newark.*

Henry F. Belden, *Summit.*

James A. Coe, *Newark.*

Andrew H. Cogswell, *New Brunswick.*

Samuel Colgate, *Orange.*

Frederick B. Condict, *Newark.*

Lewis E. Condict, *Newark.*

Edwin Cortlandt Drake, *Newark.*

Rev. Benjamin Franklin, *Shrewsbury.*

Hugh Henderson Hamill, *Lawrenceville.*

A. A. Hardenbergh, *Jersey City.*

Charles H. Harrison, *Newark.*

T. D. Hodges, *Elizabeth.*

Rev. W. C. Roberts, D.D., *Elizabeth.*

William Sargent, *Summit.*

Rt. Rev. John Scarborough, *Trenton.*

C. S. Stockton, *Newark.*

M. C. H. Vail, *Newark.*

Anna Matilda Woodhull, *Newark.*

CORRESPONDING MEMBER.

L. C. Voorhees, *New York.*

HONORARY MEMBER.

Wm. Potter Ross, *Port Gibson, Ark.*

Selections from Correspondence and Papers.

SUBMITTED JANUARY 20th, 1876.

FROM HON. HENRY W. GREEN, LL.D.

TRENTON, Jan. 12th, 1876.

Wm. A. Whitehead, Esq.,

Corresponding Secretary,

New Jersey Historical Society,

DEAR SIR:—Wishing to contribute all that lay in my power to the usefulness of the New Jersey Historical Society, I accepted the office of President, conferred upon me by the Society in January last, hoping that my health and strength might be so far restored as to enable me to perform all the duties of the office acceptably to the Society and satisfactory to myself.

That hope has been signally disappointed. I have ceased to hope for any such improvement in the state of my health as will enable me to perform the duties of President acceptably to the Society or satisfactorily to myself.

I deem it therefore a duty which I owe to the Society to resign the office—the resignation to take effect at the next annual meeting of the Society, to be held in the current month.

With earnest wishes for the continued prosperity of the Society, and with sentiments of respect and esteem for yourself,

I remain, yours truly,

HENRY W. GREEN.

FROM MR. J. SWINBURNE.

First National Bank of Paterson, N. J.,

Oct. 18th, 1875.

Wm. A. Whitehead, Esq.,

Corresponding Secretary,

New Jersey Historical Society,

SIR:—Will you kindly advise me if there is any information obtainable from our archives regarding the Coat of Arms of this State (not the seal). The National Bank Note Company are about making a new draft for us, bearing the State Arms. I find such a variety of them, I wish to learn which form is correct.

Please favor me with a line upon the subject and oblige,

Very respectfully yours,

J. SWINBURNE.

ANSWER OF THE CORRESPONDING SECRETARY TO THE
FOREGOING.

New Jersey Historical Society,

NEWARK, Oct. 21st, 1875.

John Swinburne, Esq.,

Cashier, &c.,

Paterson,

DEAR SIR:—I have delayed answering your letter of the 18th inst., until I could ascertain whether my impressions as to the "Coat of Arms" of the State were correct. Examination of the sources of information within my reach confirms them.

It is somewhat singular that no law was ever passed establishing the Seal of the State. A simple resolution adopted in 1776 appointed a Committee to prepare a seal; and their report, made under date of October 3d of that year, specifying the size, &c., of the one they had authorized, appears to have been considered all sufficient to establish its legality. As you may not have ready access to a copy of that report, I transcribe it for you.

“The Joint Committee appointed by both houses, to prepare a
 “great seal, beg leave to report—That they have considered the
 “subject, and taken the sentiments of several intelligent gentlemen
 “thereon, and are of the opinion that Francis Hopkinson, Esqr.,
 “should be immediately engaged to employ proper persons at Phila-
 “delphia, to prepare a silver seal, which is to be round, of two and a
 “half inches diameter, and three-eighths of an inch thick; and that
 “*the Arms* shall be three ploughs in an escutcheon, the supporters
 “Liberty and Ceres, and the crest a horse’s head. These words to
 “be engraved in large letters round the arms, viz.: ‘The Great Seal
 “of the State of New Jersey.’”

“By order of the Committee,

“RICHARD SMITH, *Chairman.*”

This is the seal that is now in use in the Secretary of State’s office, and the report, is the only document I am aware of, that alludes to the “Arms” of the State after which you particularly enquire.

Very respectfully yours,

W. A. WHITEHEAD,

Cor. Sec. N. J. Hist. Society.

DOCUMENT FOUND IN THE STATE HOUSE CELLAR

*From the original in the handwriting of James Bollen, Secretary
 under Gov. Carteret.*

[Referred to in Report of Committee on the Library.]

Conditions agreed vpon between his R H and B & C

1st That the bounds of New Jersey Is to begin along the Coast from the first Entrance on the N E of Barnagat to Cape May being on the East Side of the Entrance In to DeLawarr Bay and from Cape * * * which is on the W Side at the going in to the said Bay—and from thence to goe vp on both Sides of the said Bay and

Riuer called De Lawarr Riuer to the first and vttermost Spring or Springs that decends Into the said Riuer beyond the falls.

2nd That noe part of R H Teritories shall come any nearer than within 40 miles on the E Bay or Riuer and the Spring or Springs beyond Excepting along the Coast this his R H bounds is to come no farther then to the first entrance into Barnagat as afores^d

3d That all the maine Land on both sides of the bay and Riuer up to the falls and Springs aforesaid With all the Inletts—harbors—Riners—Creeks—Islands—Woods—Marshes—Lakes—Meadows &c shall remaine to B & C for ever as also all the lands—rivers &c on the West side of the said Bay—Riuer and Springs That is not alredy graunted by his Ma^{tie} to any p^rticul^r person or persons.

4th That all the Townes, plantations, fort or forts—Artillery—arms—ammunition—cartriges and all other materialls belonging to the Malitia or otherwise that are now In his R H posession and In present being vppon the said Riuer or in any other place—Shall be deliuered vp vnto B & C and that the Souldiers that are Now there In pay to the number of 15 shall be Continued vnder the the command of B & C for the sum of at his R H charge.

5th That his R H Is to procure a pattent from his Ma^{tie} for all that Tract of Land Which he made a conquest of from the Dutch on the W Side of the Said Bay and Riuer and the same to make ouer to B & C.

6th That his R H is to Cleare all pretences and claimes that my Lord Baltimore can make to any part of the said Land, Bay & Riuer from the two Capes aforesaid.

7th That it Shall and May be Lawfull for B & C or any person or persons vnder them—or trading thither To passe with their merchandize, goods and cattle to and from any Seas, harbors, Riuers or Creeks trough any of his R H Teritories—Either by land or by Water Into any parts of the Teritories belonging to B & C without being Loyable to pay any tax of Custom or Imposition whatsoever—Excepting such goods as shall be disposed of Within his said R H teritories.

8th That all Grants of Land, Charters, and priuiledges granted

to Generall Corporations by sale (?) are to be Confirmed, and also all grants of Land to p^rticul^r persons and the Lands dew to B & C and other persons w^h Liberty to dispose thereof as they shall think fit.

9th That all arrears dew to B & C for quit rents & all arrears dew to the Gouvernor and Officers are to be forthwith paid by Virtu of the Gouvernors Warrant without any service of proces In Law, the quit rent to be accompted at $\frac{1}{2}$ penny p^r acre from the 25th of March 1670, to the 25th of March 1672.

10th That Whereas It is said that the his R H is not to Come Within 40 miles of De Lawarr Bay or Riuer It is to be Vnderstood that iff the Said 40 miles should come Within the Compass of any part of Pisaihak Riuer that then there shall be 5 miles distance laid out the said Riuer adjoining here vnto

Which Land Is to Remaine In Common both parties for Ever, but that all the Townes and plantations hereafter Mentioned and Now Settled are fully and Wholly to remain to his R H.

11th To Name the Time of surrender on both sides for the Conueniencie of that Gouvernor and his Officers that is to Remove In Exchange Whereof his R H Is to have all the Lands on ye West Side of Hudsons Riuer from the Entrance into the Bay to the Raritan Riuer, and as far Landward into the Country till it comes within 40 Miles of the De Lawarr Bay, Riuer and Springs, the Coast from the first Entrance into Barnagat, and the provisoes In the 10th article before mentioned only Excepted. With all the Townes Now settled and planted Namely—The Corporation of Bergen, New Barbados, Newark, Elizabethtowne, Woodbridge, Shrewsbury, Midletown and New Piscataway, together with all the plantations within the Compas of the said tract of Land Now belonging and in posesion of B & C.

Donations

ANNOUNCED JANUARY 20th, 1876.

From E. G. Paterson.—Report of United States Court Survey, 1874.

From S. L. M. Barlow.—Fac simile of letter of Christopher Columbus describing his first voyage to the North Western Hemisphere ; one of 50 copies printed.

From A. Remsen Thompson.—The Geneva (Breeches) Bible, Edition of 1577. Proceedings of the American Association for the advancement of Science, 1848 to 1873, 19 vols. Report on the Natural History of New York, 1850. Memoir of the construction of the Croton Aqueduct. Lyel's Lectures on Geology. Report of the Regents of the University of New York, 1851, together with 40 miscellaneous pamphlets and newspapers.

From Edward A. Strong.—An original Despatch of John F. Pickett, Confederate States Minister Plenipotentiary to Mexico, dated Vera Cruz, Feb. 1862, to Robert Tombs, Secretary of State at Richmond—giving Mr. Pickett's views, as to the intentions of the Allied Powers, England, France, and Spain, then in possession of Vera Cruz.

Rev. Joseph F. Tuttle.—In Memoriam Rev. Henry Goodrich, D.D. : In Memoriam Samuel S. Fisher. The Social Problem. Rev. A. A. E. Taylor. Galenism. Theophilus Parvin, M.D. The Progress of Peace Principles read at Geneva, 1874, by Edward A. Lawrence, D.D., of Marblehead, Mass. A Lawyer's Readings of the evidences of Christianity, by Daniel P. Baldwin, LL.D. A discourse in Franklin, Iowa, Nov. 29, 1874.

From United States Patent Office.—Official Gazette, Vol. 7., 18 to 26 inc. Vol. 1 to 25 inc. Index to Decisions, Vol. 7. General Index, 1874.

From the United States Bureau of Education.—Circulars of Information.

From United States Department of the Interior.—Statistical Atlas, parts, 1, 2, 3. The President's Message and accompanying Documents. Public Documents of both Houses of Congress, 1872-3, 1873-4, 51 vols.

- From A. F. Wilmans.*—Eighteenth Annual Report of the Wilmington Institute, 1875.
- From Edwin M. Stone.*—Thirty-third Annual Report of the Ministry at large in Providence, 1875. Report of the School Committee of Providence, 1875.
- From Edwin Salter.*—Daily Fredonian, containing article entitled "Travelling two centuries ago."
- From J. Cummings Vail.*—Newark City Directory, 1844-5.
- From P. W. Sheaffer.*—Historical Map of Pennsylvania, 1875.
- From Hon. Joseph P. Bradley.*—Brigade, Regimental and Standing Order Book, 1776-1778, at Marcus Hook, Philadelphia, Allentown, N. Brunswick, Perth Amboy, Elizabeth, Middlebrook and Valley Forge; presumed to have belonged to Charles Craig, A.D.C.
- From E. T. Cox.*—Geological Survey of Indiana, 1874.
- From Albert H. Hoyt.*—Memoir of Daniel Pierce, of Newbury, Mass., 1638-1677.
- From Dr. S. A. Green.*—Seven Miscellaneous pamphlets.
- From Isaac F. Wood.*—Six Miscellaneous pamphlets.
- From Joseph Black.*—Manuscript copy of the Oration by Alexander C. Mac Whorter, in Newark, N. J., July 4, 1794.
- From J. R. Freese.*—Manuscript Deed for Land in Huntington, L. I. John Ingersol, and wife to Alfred Bryan, Oct. 2, 1710.
- From John L. Kanouse.*—Annual Report of the Trustees of the Public Schools in Boonton, N. J., April, 1875.
- From H. H. Browne.*—Insurance Maps of property in Newark, N. J. 2 vols., folio.
- From J. H. Gibbs.*—Coat of Arms of the Bouck (Buck) Family. Inlaid in Colors.
- From Gustave Albrecht.*—Family Records of Passaic Valley, N. J., by John Little.
- From William Nelson.*—Report of the Board of Education, Paterson, N. J., 1875. Historical and Statistical memoranda relative to Passaic County. Proceedings of the Board of Freeholders of Passaic County, 1874-5. Newspapers containing local Historic items.
- From Rev. Nathaniel West, Cin.*—Sermon in memoriam of Thomas Ebenezer Thomas, Dayton, Ohio.

From Stephen Wicks, M.D.—Jefferson's Notes on Virginia, 1 Vol. Facts and documents relative to the death of Alexander Hamilton, 1 Vol. First Church, Orange, N. J., 150th Anniversary, 1869. Manual of Second Presbyterian Church, Oaange, N. J.

From H. M. Molleson.—A Discourse on Faith, by Samuel Mather, 1740. Dutch Bible, printed in Dordrecht, 1676. The New Testament and Psalms, Dordrecht, 1731. The Messiah, in fifteen books, by Joseph Collyer, printed by Shepard Kollock, in Elizabethtown, N. J., 1788. An Old Book in Dutch, printed at Amsterdam, 1743. A parchment deed for land in Bound Brook, 1764. New York Tribune, May, 1872, to December 31, 1875. Full account of the Democratic Convention held in Philadelphia, 1866. Partial Files of the Easton Express, 1872. The New York World, 1868. Somerset Argus, 1869. Somerset Messenger, 1870 to 1875. The Detector, 1871. The Circular, 1870. Twenty-four miscellaneous pamphlets, and a package of old newspapers. Sundry Banners used in the Clay and Frelinghuysen Campaign of 1847. Two Indian relics and the Company Flag of the "Somerset Light Horse Troop" of 1812.

From Joel Munsell.—Valedictory Oration before the College of New Jersey, 1794, by John Bradford Wallace. Catskill Presbyterian Church, 25th Ann. Sermon, by George A. A. Howard, D.D. The Rise of Protestantism with the growth and Doctrines of the Lutheran Church, Sermon at Albany, by Irving Magee, D.D., and ten other miscellaneous pamphlets.

From O. S. Baldwin.—Baldwin's Monthly.

From J. D. Vermilye,—33rd Annual Report of the Board of Education, N. Y., 1874.

From Grand Lodge of Free Masons of N. J.—Proceedings, 1785 to 1873. 5 Vols.

From R. S. Swords.—Newark City Directory, 1874-5. Seventh Annual Report of the Board of Trade, Newark, 1874. Manuscript collection of Poems, by Richard B. Davis, of New York, about 1790-97, understood to be in the author's handwriting. Proceedings of the National Board of Trade, 1875. Ten miscellaneous pamphlets.

From Miss Kate L. Burnett.—American Annals of the Deaf and

Dumb, January, 1875, containing notice of John Robertson Burnett, deceased.

From N. J. State Librarian.—The Revolutionary Soldiers of Delaware.

From State of Pennsylvania (through Governor Hartranft)—Pennsylvania Archives, Second Series, Vol. 1.

From the Authors.—History of the District Medical Society of the County of Hunterdon, N. J., by John Blane, M.D., 1821 to 1871.

Portraits and Busts in the possession of the American Antiquarian Society and other Associations at Worcester, Mass, by Nathaniel Paine.

The Market Assistant, by Thomas F. DeVoe.

Quarto Centennial of the House of Prayer, Newark, by Wm. Vanderpool.

Address at the Dedication of the new Court House, Hampden County, Mass, by Hon. W. G. Bates. Westfield, Mass., Jubilee, 1869.

Anniversary Address before Third Army Corps Union, 1875, by Gen. J. Watts DePeyster.

Geneology of the Tenney Family, by Horace A. Tenney.

The Historical relation of New England to the English Commonwealth, by John Wingate Thornton, 1874.

Electro Motive Force, by H. M. Paine.

Dawson Family Record, by C. C. Dawson.

The Relation of the Patent Laws to American Agriculture, Arts and Industries, by Jas. A. Whitney.

Live and Lively, Reminiscences and Experiences, by Wm. H. Winans.

From Yale College.—Obituary Records of Graduates, 1875, and Catalogue, 1875-6.

From Harvard College.—Report of the Proceedings, 1874-5.

From John C. Mandeville.—Pompton Plains Memorial.

From H. A. Chambers.—The Church Almanac, 1875. The Protestant Episcopal Almanac and Directory, 1875. The Methodist Almanac, 1875.

From Newark Daily Advertiser.—Ten miscellaneous pamphlets.

From Mrs. Charles T. Gray.—Laws of the State of New Jersey revised and published by William Paterson, 1800.

From Stanford Swords.—An Order for Four Cents, drawn by the York and Jersey Steam Boat Ferry Company on the Newark Banking and Insurance Company, June 1, 1816.

From the Various Societies.—The Missouri Historical Society, Constitution and By-Laws.

Journals of American Numismatic Society, Vols. 7–9.

Record of New York Genealogical and Biographical Society for July and October.

Twenty-second Annual Report of Wisconsin Historical Society, Jan. 1876.

Collections of New York Historical Society for 1875. Lee papers 1778–1782.

Register of New England Historic and Genealogical Society for July and October, 1875, and January, 1876; and Centennial Orations, 1874–75.

Proceedings of Rhode Island Historical Society, 1873–74; and from the same Society, Reports of Boards of Education Public Schools, 1873—of State Valuation, 1874—of Railroad Commissioner, 1873—of Banks and Savings Institutions, 1873—of State Auditor, 1873—of Insurance Commission, 1873—and Acts and Resolves of the General Assembly, 1874.

Proceedings of New Hampshire Historical Society, 1874–5.

Proceedings of Massachusetts Historical Society, 1873–75.

Annual Report of the Young Men's Christian Association, Worcester, Mass.

History of Company D, 13th Regiment New Jersey Volunteers. from the D Society.

• Annual Report of the Smithsonian Institution, 1873–74.

Semi-Centennial of St. Paul's Church, Paterson, N. J.

Reports of Meetings of Virginia Historical Society, Jan., 1876

Haskell's Port-folio of New England Society of Orange, N. J.

October, 1875.

Bulletin of the Essex Institute, April and May, 1875.

• The Newark Aqueduct Board Report, 1874.

Seventeenth Annual Report of the Brooklyn Mercantile Library, 1875.

Proceedings of the American Philosophical Association, Jan. to June, 1875.

Long Island Historical Society : Memoirs of, Vols. 1 and 2 ; and Annual Reports, 1866-69, together with Early History of Suffolk County, 3 copies

Account of the Incorporation of American Antiquarian Society, 1812, with Proceedings, May and October, 1843, and April, 1875. Transactions of the Society, Vols. 3, 4, 5, with various other reports and addresses.

Transactions of the New Jersey Medical Society, 1859-74, 4 vols.

From the Publishers.—Consecutive numbers of the Centennial American Journal of Education. National Standard. Orange Journal. Newark Manufacturer. Hackettstown Herald. Weekly State Gazette. Princeton Press. Passaic City Herald. Arlington Journal. Essex County Press. The Printing Press, Chicago, Bloomfield Record. American Literary Bureau. Bibliopolist. Nos. 75, 76, 77. New Jersey Tom's River Courier, 1874. Paterson Daily Press, Vol. 23, 1875, bound.

Form of a Devise or Bequest to the Society.

I give, devise and bequeath, to the "New Jersey Historical Society," chartered by the Legislature of the State in 1846, for the use of Society, the sum of _____ dollars.

BIOGRAPHICAL SKETCH
OF
WILLIAM COLFAX,
CAPTAIN OF WASHINGTON'S BODY GUARD.
BY WILLIAM NELSON.

Read before the New Jersey Historical Society, Jan. 10th, 1876.

The Pompton Valley is one of the most charming localities in Northern New Jersey and abounds in interesting historical reminiscences. There is scarcely an acre of the country for miles round about but can boast that it has been trod by the patriots of the Revolution, who had much reason to praise the fruitfulness of that region which afforded them such generous forage in the days when Washington's little band was on "short commons." "Sunnyside," the summer residence of "Marion Harland," was occupied by a portion of the army in those days, and not far away are the unmarked graves of the two unfortunate men who were made examples of at the time of the mutiny of the sorely-tried Jersey Line (January 27th, 1781). The Marquis de Chastellux and Surgeon Thacher relate various interesting incidents happening in this neighborhood, and Washington's Orders, the Journals of the Committee of Safety, and other records, published and unpublished, show that at various times this was an important locality to the American army.*

But Pompton had a history before the days of the Revolution. As long ago as 1695 it was coveted by the whites, and in June of that year a great tract of land thereabout was bought by several New York gentlemen, chief among whom were Captain Arent

*Thacher's Military Journal (ed. 1854). 156, 251-2; Moore's Diary of the Revolution, II., 374; Travels in North America, by the Marquis de Chastellux, I., 100, 341-4; Washington's Revolutionary Orders, 114; Gordon's N. J., 311.

Schuyler and Col. Anthony Brockholls (Commander-in-Chief and acting Governor of New York, 1677-8, 1681-2), who were doubtless glad to find rest here, under the protection of "Jersey Justice," after the troublous times of the Leisler usurpation in New York, when Brockholls was denounced as "a rank Papist," and had a price set on his head by the unfortunate, over-zealous acting-Governor of that Colony.

A granddaughter of Brockholls (Miss Susanna French, daughter of Mr. Philip French, of New Brunswick, in this State), made a most excellent wife to William Livingston, our famous "War-Governor" during the Revolution, and was the devoted mother of Henry Brockholst Livingston, who sat on the Bench of the United States Supreme Court, 1806-1823.*

On the sites of the houses built by Brockholls (or Brockholst) and Schuyler are now two spacious and inviting country mansions, occupied, the one by the venerable Dr. William Washington Colfax, and the other by his nephew, Major William Washington Colfax.

A short distance above the doctor's residence, in an enclosed field, and but a few feet from the roadside, is an unostentatious white marble pyramidal shaft, about five feet high, resting on a simple brownstone base, and bearing this inscription :

GENERAL WILLIAM COLFAX,
CAPTAIN OF
WASHINGTON'S LIFE GUARD.

That simple legend at once arouses the interest of the passer-by. Anything pertaining to Washington is of interest in these Centennial days, and surely we cannot but wish to know something of one who was in such close contact with the Commander-in-Chief of the American armies during the Revolution, as the Captain of his Life Guard. It is to be regretted that there is so little information to be gleaned concerning him.

WILLIAM COLFAX was of the staunchest New England stock. An

*East Jersey Records, Liber E., 233, 306; N. Y. Colonial MSS., IV., 98; Doc. Hist. N. Y., II., 20, 35-42; N. Y. Hist. MSS., English, 205, 238-9; N. Y. Civil List for 1869, 14; Sedgwick's Life of Wm. Livingston, 59; Princeton College During the 18th Century, 177.

ancestor of the same name was one of the early settlers of Weathersfield, Conn., and the births of four of his children are recorded as occurring in that ancient village about 1653-9. He was probably the grandfather of John Colfax, of New London, Conn., who married Ann Latimer, September 3d, 1727, the young couple being admitted to the church in New London on profession of their faith, and their son George (born December 25, 1727) baptized, March 17th, 1728. (Mr. H. P. Haven, of New London, to whom I am indebted for this information, referring to this rapid succession of events, remarks in the note to me accompanying the facts, "Such things did happen in old times as well as modern. In this case I looked up the old record from which it was taken and verified the dates." The records also note the birth of these other children of John Colfax: Ann, born May 16, 1728; (?) Jonathan, 1736; John, 1739; William, 1748.

George, the first-born, married Lucy, daughter of Ebenezer Avery, April 13, 1749, and their children were: 1. Sarah, b. 30 January, 1750; 2. George, b. 9 February, 1752; 3. Ebenezer, b. 18 September, 1753; 4. Lucy, b. 21 March, 1755; 5. *William*, b. 3. July, 1756; 6. Jonathan, b. 12 March, 1758; 7. Ann, b. 12 April, 1760; 8. Robert, b. 26 December, 1761; 9. John, b. 21 November, 1763; 10. Mary, b. 8. January, 1766. Captain George Colfax, the father of this numerous progeny, died in 1766, leaving an estate of £807. Lucy, his widow, survived him nearly forty years, dying in September, 1804, aged seventy-five.

Of the early life of William, son of Captain George, we know nothing. Doubtless it was the same as that of every other young farmer in New England—full of the rugged toil and self-dependence that taught the Yankees their power, and made them the readier to exercise it when the time came for them to assert their right to their independence, their ability to maintain which had long been evident.

He often used to tell his family that he participated in the battle of Bunker Hill, June 17, 1775. It is probable that he never left the army from that day till the liberties of his country were secured. He appears to have enlisted in a Connecticut regiment, and in the records of the Comptroller's office of that State he is credited with service in the Continental Army to January 1st, 1780, £184, 3s.,

11*d.* On January 1, 1781, he received for balance of service £106, 1*s.*, 4*d.* Strange to say, these two scanty financial entries appear to be the only records Connecticut has of this distinguished son of hers.

While the American army was encamped at Valley Forge, Washington issued an order dated March 17, 1778, directing that "one hundred chosen men are to be annexed to the Guard of the Commander in-Chief, for the purpose of forming a corps, to be instructed in the manœuvres necessary to be introduced into the Army, and to serve as a model for the execution of them." These men were to be taken from the various States, and were required to be from 5ft. 8in. to 5ft. 10in. in height, from 20 to 30 years of age, of "robust constitution, well-limbed, formed for activity, and men of established characters for sobriety and fidelity." They were to be American born,* and the motto of the Guard was, "Conquer or Die."

Into this honorable corps young Colfax was drafted, doubtless at this time. His fine appearance and gallantry in the field soon made him a favorite with the General, and it was not long ere he became a Lieutenant of the Guard, subsequently succeeding Caleb Gibbs, of Rhode Island, as Captain Commandant, though it appears that he was never commissioned a Captain. He was thrice wounded in battle—once dangerously. One of these wounds was received at the battle of White Plains, N. Y., in October, 1776.

Upon one occasion, when he was in the act of giving the word of command to his men, a bullet struck his uplifted sword, shattering the blade, and glancing, skinned one of his fingers.

In another engagement, a bullet struck his forearm, severing the integuments and passing between the bones, without touching them.

Again, while riding on horseback in an exposed position a bullet was sent through his body, just above the hip and below the bowels, entering in front and coming out behind. The long buff waistcoat he wore at the time is preserved by his grandchildren, and the hole is apparent, made by the almost fatal shot. In the excitement of the battle the impetuous young hero did not notice the wound, but still galloped from point to point over the field delivering orders.

*Washington's Revolutionary Orders, 35.

Some Hessian soldiers, who had been taken prisoners, saw the blood streaming from his side and into his boot, and gleefully exclaimed, "Mein Gott! de Captain is wounded again." As he kept on in the fight some of his own men saw the crimson flow and cried to him, "Captain! the blood is running out of your boot!" Glancing down, he perceived his condition for the first time, saw that it must be serious, and rode over toward the field hospital. Dr. Ledyard looked at the wound and bade him go at once into the hospital, and *stay* in, the latter order being needed to keep the fiery Captain indoors. The excitement over, the wounded man succumbed to the loss of blood and grew faint and weak as a child. After hurriedly examining and dressing the injury, Dr. Ledyard subsequently asked, "Do you want to be cured quickly, or to let this thing linger along?" Said the Captain, "As quickly as possible." The Surgeon promptly applied the bistouri, tore the wound open and dressed it, whereupon it soon healed. However, recovery was attended by an eruption of boils, covering the patient from head to heels, and afflicting him as sorely as they did Job of old.

Washington seeing the state of his trusted Captain, remarked to him, "You are in a deplorable condition; I will give you a furlough that you may go home till you recover." Colfax persisted in staying with the army till they went into winter quarters at Morristown, in the winter of 1779-80. During that season he went home to Connecticut, riding all the way on horseback, the snow being so deep in March that he rode over the fence-tops. He returned greatly improved in health, and was with the army till the close of the war.

At the surrender of Lord Cornwallis, at Yorktown, in October, 1781, at his own particular request Colfax was permitted by Washington to occupy a prominent position, on horseback, near his beloved General, and he was never tired of describing in after years that memorable scene. The American and French armies were drawn up in line, facing each other, Washington at the head of one, and the Count de Rochambeau at the head of the other, the British column passing between. Colfax said they marched to the tune of "Yankee Doodle." The British commander (Gen. O'Hara representing Cornwallis, who plead indisposition) was loth to yield his sword to the "rebel," and as he reached the head of the allied

armies he tendered the blade to the French General. But that gallant and truly courteous officer resented the insult to the American Commander, and fiercely frowning, exclaimed: "Me not Washington. Me Rochambeau." The mortified prisoner then, with the best grace possible, surrendered his sword to the General-in-Chief.*

Colfax was a man of fine presence; about five feet ten inches in height, large frame, well proportioned, and weighing about 190 or 200 pounds. He had dark hair, a clean-shaven face, with massive, square-set under jaw, a clear, florid complexion, and beautiful blue eyes. His hair was powdered and worn in a cue, tied with a black ribbon, till his later years. A pretty miniature of himself, painted about the end of the Revolutionary War, for his sweetheart, shows that his coat was dark blue, with collar and facing of scarlet, large gilt buttons ornamenting the facing; his waistcoat was doubtless buff, although the color is now faded; a ruffled shirt bosom overflows the upper part of the waistcoat and there appears to be a black cravat about his neck, with a white collar turned partly over it. This neatness of dress characterized his appearance all his life.

He was a personal favorite of Lady Washington, as well as of the General, and the family still preserve a sort of net for his cue, knitted of linen thread by her for the Captain.

They also have one of a brace of pistols given to him by Washington, the other having been lost a few years ago. It is about ten inches long, single barrel, flint lock, of iron or steel; wooden stock, ornamented with silver filagree work, the butt mounted with German silver, and having sunk in it a hideous face with mouth wide open, displaying horrid teeth. The pistol is inscribed "Amsterdam" on one side and "Thone" (doubtless the maker's name) on the other.

While the army was at Pompton Plains the citizens showed the officers various courtesies. About a quarter of a mile above the Pompton Steel Works, the road to Wanaque and Ringwood leaves the old Hamburgh turnpike, and at the southeast corner of these roads stands an ancient yellow frame house, two stories high in

*The foregoing and other of these personal reminiscences of Colfax were related to the writer hereof in the summer of 1872, by Dr. Wm. W. Colfax, the only surviving son of the General.

front, with roof sloping almost to the ground in the rear; a covered verandah in front, quaint half-doors, and various other unmistakable evidences of belonging to a past age. This was the residence during the Revolution of Casparus (Dutch for Jasper) Schuyler, (b. 10 Dec. 1735) grandson of Arent Schuyler, mentioned above. His home was the scene of many a festive gathering a century ago, in which Washington and his suite participated. The young officers found here a great attraction in the charming daughter, Hester (who in accordance with a custom of Dutch families, was named after her grandmother, Hester, daughter of Isaac Kingsland), and the valiant young Colfax, brave as he was in battle, surrendered at discretion before the flash of her bright eyes. Soon after the war he took up his residence at Pompton and married Hester Schuyler, 27 August, 1783.

There for more than half a century he lived the quiet, peaceful life of a country farmer, seeing his children grow up around him, and witnessing the wonderful development of the nation for whose existence he had fought so long and well in his youth. He was honored, trusted and revered by his neighbors, and was repeatedly elected or appointed to various responsible positions in the town, county or State. He was appointed by the Legislature a Justice of the Peace and Common Pleas Judge for many years. He was elected to the General Assembly from Bergen county in 1806-7-9-10-11 and to the Legislative Council in 1808-12-13. He was always interested in military affairs, and in 1811 was Brigadier-General of the Second Division of Infantry, Bergen Brigade.

In the War of 1812 he had a command at Sandy Hook.

At the elaborate and enthusiastic celebrations of Independence Day, which were customary half a century ago, the presence of General Colfax was deemed indispensable at the demonstrations in his neighborhood.

In 1824 or 1825, on the occasion of the great parade in Newark in honor of Lafayette, Colfax participated as one of the most conspicuous Revolutionary heroes of the day.

He preserved his faculties to the very last, and died after but a few days' illness, 9 September, 1838, aged eighty-two years and two months. He was buried on his own estate, with military hon-

ors, the militia of Paterson and vicinity turning out on the occasion, with martial music, under the command of General Abraham Godwin, the younger, and Colonel Cornelius G. Garrison, both of Paterson. The services were held in the Reformed Dutch Church, at Pompton, the Rev. Isaac S. Demarest officiating, while the people came by hundreds from all the country around, to testify by their presence to their respect for one whom they had so long revered and admired.

Colfax left six children :

I. George Washington, b. 3 November, 1784 ; m. Eliza Colfax, his cousin, 11 December, 1811.

II. Lucy, b. 18 November, 1789 ; m. Henry H. P. Berry, 3 August, 1815.

III. Schuyler, b. 3 August, 1792 ; m. Hannah Delameter Stryker, of New York, 25 April, 1820. (He was the father of Schuyler Colfax, Vice President of the United States, 1869-73).

IV. Elizabeth, b. 8 August, 1794 ; m. James L. Baldwin, 30 July, 1816. (Her children live at Troy, N. Y.)

V. William W., b. 26 April, 1797 ; m. Hester Mandeville, 27 May, 1826. (He graduated at the University of New York, School of Medicine, 27 Feb., 1817, practised a few years at Acquackanonk and Paterson, and for half a century at Pompton and vicinity. As this is being written he is dying.)*

VI. Maria, b. 3 July, 1800 ; m. Abraham Williams, a lawyer, of Orange, 14 January, 1822.

The writer has had the miniature of Gen. Colfax, mentioned above, photographed, and a copy, appropriately colored, will be hung in the rooms of the New Jersey Historical Society, where all may thus see an excellent counterfeit presentment of the fine-looking and gallant CAPTAIN OF WASHINGTON'S BODY GUARD.

*While this article was in the printer's hands, Dr. Colfax died, February 28, 1876. For a sketch of his life see the New York Herald of March 1.

PROCEEDINGS
OF THE
New Jersey Historical Society.

SECOND SERIES.

VOL. IV.

1876.

No. 4.

NEWARK, May 18th, 1876.

THE NEW JERSEY HISTORICAL SOCIETY held a regular meeting in their rooms at 12 o'clock M., which was numerously attended by gentlemen from various parts of the state. The Rev. SAMUEL M. HAMILL, D.D., President, and Mr. PETER S. DURYEE, one of the Vice Presidents, presided.

The minutes of the last meeting were read by MR. A. P. YOUNG, Recording Secretary, and approved.

MR. WILLIAM A. WHITEHEAD, the Corresponding Secretary, submitted his report of the correspondence since the last meeting and laid upon the table among others, letters or communications from Hon. John Clement, acknowledging his election as a Vice President of the Society and from Hon. Marcus L. Ward, as a member of the Executive Committee; from the Hon. Wm. P. Ross, of Port Gibson, Ark., accepting an honorary membership; from Rt. Rev. John Scarborough, Hon. A. A. Hardenbergh and others, acknowledging their election as resident members; from the Pennsylvania Historical Society in relation to the Publication Fund of that Society; from Mr. Edward Herrick, Corresponding Secretary of the Bradford County, Pa., Historical Society, inquiring after the Linley family, who were among the early settlers of Newark; from Mr. E. Carhart of Oxford, Pa., similar inquiries after the Carhart family, who were located, at an early period, in the neighborhood of Elizabeth; from the Missouri Historical Society, suggesting a national convention of

Historical Societies at Philadelphia on the first of August next; the Historical Societies of Iowa, Minnesota, Maine, New York, Georgia, and Historical and Philosophical Society of Ohio, acknowledging the receipt of the last number of the Society's Proceedings. The Delaware Historical Society, New York State Library, U. S. Coast Survey office, Rev. Allen H. Brown, of Camden, Gen'l G. Watts DePeyster, of New York, Rev. Dr. Tuttle, of Indiana, Mr. J. D. Sergeant and S. W. Pennybacker, of Philadelphia, and Mr. R. A. Brock, Corresponding Secretary of the Virginia Historical Society, transmitted donations for the library; from Gen. Wm. S. Stryker, there were several communications relating to the contributions of the Society to the Centennial Exhibition at Philadelphia, and from various other parties letters relating to the business operations of the Society.

COLONEL SWORDS, the Treasurer, reported that the legacy of the late Thomas Barron of \$5,000 had been received and temporarily invested, and that the balance of cash in the treasury was \$1,392.80.

The Committee on the Library reported that the additional shelving to meet the constant accumulations in the library, the necessity for which was alluded to in their report at the last meeting, had been supplied, and, in conjunction with a commodious closet, contributed at the expense of the owners of the building, afforded all the accommodation at present required. The rooms, in consequence, wore a more systematic and convenient aspect than ever before.

The additions to the library, since the last meeting, had been thirty-five bound volumes, one hundred and forty pamphlets, seven manuscripts, two maps, sundry newspapers and two oil paintings. Some few of the books were obtained through exchanges, and the Committee invite the attention of the members to the services they might render to the Society, by availing themselves of the duplicate works in the library, to secure such others as are wanted, when not obtainable gratuitously. The donations, since the last meeting, of which a special report was presented, were all in keeping with the objects of the Society, and some were especially valuable.

The Committee referred especially to a bequest of the late Mrs. Matthias W. Day, of a valuable marble mantel clock, coëval with the

French Revolution and bearing devices incidental to that period, which adds not a little to the completeness of the library; and an oil painting on panel, four feet by three, representing an entire family of husband, wife, mother and several children—five sons and two daughters—in the costume of the beginning of the seventeenth century. This painting was considered by the late Mr. Day, who purchased it nearly half a century ago in New York, as representing Hendrick Hudson and his family, but the Committee regretted that they had not been able to confirm this traditionary belief. The picture is evidently of Dutch origin, the ages of the different personages represented being given in that language, but there is nothing whereby the name of the artist or the age of the picture can be ascertained.

“It is a noticeable circumstance,” said the Committee in their report, “that Hudson’s name and position in history are due to the events of only four years of his career, from 1607 to 1611, nothing being known definitely of his birth and early life, or of the number of his children. His biographers have assumed that one John Hudson, whose name appears among the seamen he had with him on two of his voyages, was a son, and the Committee hoped that the eldest child in the picture, represented as twenty-four years old, might afford a clue whereby its identity with the Hudson family might be arrived at, but it was found that for John Hudson to have been at that age, the picture must have been painted in 1610, when Hudson was not in Holland, it being certain, according to his biographers, that although his voyage to America and discovery of the Hudson was made while in the employ of the Dutch East India Company in 1609, he did not return to Holland with his vessel, but landed from her on the English coast in November of that year, when on his return voyage. Another circumstance which militates against the supposition that our picture represents Hudson and his family, is the failure on the part of his biographers and others, after thorough search, to learn of the existence of any portrait of him. The Committee hope that, although foiled in their endeavor to connect the painting with Hudson’s family, they may yet be able to ascertain what other it represents. That it was one of distinction there can be no doubt.”

The report also stated that—

“In accordance with the request of the Directors of the Centennial

Exhibition at Philadelphia, and the earnest solicitation of Gen. Wm. S. Stryker, acting for them, the Committee have consented to place in their charge several of the valuable original documents in the possession of the Society, for exhibition in Memorial Hall. Among these are the original grants from the Duke of York for East and West Jersey, and other early instruments connected with the first settlement of the provinces, of dates from 1664 to 1682, which cannot fail to add interest to the collection."

The Committee on Publications reported the issue of another number of the Society's "Proceedings," bringing down the printed record of its operations to the present time. They drew attention to a resolution adopted in May, 1869, authorizing the publication of "The Paris Papers"—the correspondence of John Ferdinand Paris with the proprietors of East Jersey, during the early part of the eighteenth century—which had never been acted upon, and expressed a hope that circumstances would soon warrant its being carried out. In this connection the Committee referred to the advantages flowing from the establishment of a publication fund that would allow of publications at regular periods, such as had been established by several societies, and which had been suggested as long ago as 1860—"being impressed," said the Committee, "with a sense of the obligation resting upon the Society, not only to *collect* materials for history, but also to facilitate access to them by putting them in print when practicable, with a view to their wider dissemination and usefulness."

The Committee on Nominations reported favorably on the names of several gentlemen referred to them, and they were thereupon balloted for, and duly elected members.

Rev. MARSHALL B. SMITH, with some remarks verifying its identity, presented a fragment of the keel of the notable Ship of the Line "Royal George," of one hundred guns, which through mismanagement, was sunk off Spithead, in August, 1782, with eight hundred souls on board, and raised in 1839.

Mr. ERNEST E. COE presented an original copy of the Boston Gazette of March 12th, 1770, containing an account of the funeral services of those who fell in the affray with the English soldiers on the 5th of March, 1770.

Rev. Dr. ABEEL presented an autograph letter from Charles Pettit to Col. James Abeel, Deputy Quartermaster General, at Morristown, dated Philadelphia, Jan. 6th, 1779, and a large voluminous atlas, of great interest, printed during the last century.

MR. WILLIAM NELSON drew the attention of the Society to a very able article, by Mr. Isaac Craig, in the Pittsburgh Telegraph of April 21st, refuting a statement in a Cincinnati paper to the effect that "Washington's Life Guard was composed of Germans, not one of whom understood a word of English." As Mr. Nelson, at the last meeting of the Society, read a paper on William Colfax, of Pompton who was Captain of the Life Guard, this refutation of statements, originating in an erroneous confounding of two distinct corps, was highly important. Mr. Nelson presented a copy of the paper referred to.

After a bountiful repast, spread for the members in the Society's Document room, President Hamill read an interesting sketch of Lawrenceville, Mercer county.

On motion of Col. SWORDS, and after some remarks by Mr. DUR-EE upon the many events of the Revolution, and the prominent men connected with the section of the State in which Lawrenceville is situated, it was

Resolved, That the thanks of the Society are due to the Rev. Dr. Hamill for his entertaining paper, and that he be requested, if not inconsistent with his intentions, to place a copy at the disposal of the Committee on Publications.

A number of old and interesting documents, referring to business transaction in Essex county, in the early part of the last century, were received from MR. WILLIAM JOHN POTTS, of Camden, and MR. HENRY CONGAR presented a large collection of deeds and surveys and other papers relating to early transfers of property in this part of the State.

A telegram was received from the Rev. GEORGE SHELDON, D.D., of Princeton, asking for the appointment of delegates from the Society to the Princeton Centennial celebration on the 29th of June, which, on motion of Mr. Whitehead, was referred to the Executive Committee, which, by a resolution adopted in January, had been charged with the consideration of all co-operative measures.

After a desultory interchange of views, reminiscences, etc., in which Messrs. Voorhees, of Middlebush, Ayerigg, of Passaic, Duryee, Sykes, Baldwin, Swords and others participated, the Society adjourned, to meet at Trenton on the third Thursday of January, 1877.

Resident Members.

Elected May 18. 1876.

EDWARD L. CAMPBELL.	. . .	TRENTON.
WILLIAM H. GILL.	. . .	ELIZABETH.
HENRY C. KELSEY.	. . .	TRENTON.
HENRY S. LITTLE.	. . .	TRENTON.
BENJAMIN F. LEE,	. . .	TRENTON.
ERNEST L. MEYER,	. . .	ELIZABETH.
BENJAMIN C. PARKER,	. . .	SHREWSBURY.
W. W. L. PHILLIPS, M.D.,	. . .	TRENTON.
JOHN M. RANDALL	. . .	EAST ORANGE.
STEPHEN W. WILLIAMS.	. . .	WEST ORANGE.

Honorary Member.

HENRY C. MURPHY . . . BROOKLYN, N. Y.

Donations

ANNOUNCED MAY 18th, 1876.

From the Various Societies.—The Historical Society of Delaware. The Revolutionary soldiers of Delaware, by William G. Whitley, 1875.

The Minnesota Historical Society, Annual Report, 1875.—The grasshopper ravages in Minnesota.—Report of the Centennial State Board.

The New England Historic and Genealogical Society, Proceedings, 1876.—Brief history of the N. E. H. & G. Register, and the number for April, 1876.

New York Genealogical and Biographical Society's Record for January and April, 1876.

The Virginia Historical Society.—A newspaper containing an article on Virginia libraries in Colonial Times.—Photograph of Thomas B. Wynne, deceased, late Secretary of the Society.—Newspaper account of Proceedings.—Early voyages to America, 1520, 1573, by Conway Robinson.—Washington's private diaries, 1789 to 1791.—Virginia Historical Reporter, Vol. II, part 1.—Sketches of the Political Issues of the Revolution.—Discourse before Virginia Historical Society, R. M. T. Hunter, 1854.

The Georgia Historical Society, Address by Charles C. Jones, Jr., on Sergeant William Jasper, 1876.

American Antiquarian Society.—Proceedings, October, 1875.—Transactions of the Society, Vols. 5 and 6.—Thomas' History of Printing in America, 2d edition, 1874.

From New York State Library.—Boundaries of the State of New York.—Reports of State Museum of Natural History, 1872, and N. Y. State Library, 1875.

From Robert Clark.—Ninth Reunion of the Society of the Army of the Cumberland, 1875.

From Samuel Nichols.—The first six pages of the Book of Minutes of "Newark Fire Company, No. 1," December 30, 1799, to February 6, 1801.

From the Authors.—Genealogical Notes relating to the family of Scull, compiled by G. D. Scull.

Nashville, the Decisive Battle of the Rebellion, by General J. Watts De Peyster.

Historical Address at the one hundredth anniversary of the dedication of the Congregationalist Meeting House, Amherst, Mass., 1870, by William B. Towne, Milford, N. H.

The Ministry at Large, by Rev. Edwin M. Stone.

The Voyage of Verrazzano—a chapter in the early history of maratime discover in America, by Henry C. Murphy, 1875.

Historical Address in First Presbyterian Church, Franklin, Indiana, Nov. 30th, 1874, by Judge D. D. Banta.

History of the Presbyterian Church in Delphi, Carrol county, Indiana, Nov. 28th, 1875, by Rev. Joseph A. Ranney.

Treatment of Amputations by the Open Method, by F. S. Dennis, M. D.

Description of the Atsion and Waterford estates.—Burlington, Camden and Atlantic Counties, N. J., by W. H. B. Thomas.

The Bergen family and other Long Island families, by Teunis G. Bergen.—Early account of Petroleum, by William J. Buck.

From Rev. William Stevens Perry, D.D.—Historical papers of the American Colonial Church, volume for Massachusetts.—Debates in the House of Deputies of Protestant Episcopal Church, 1871.—Journal and Digest of the Canons, 1874.—Annual Convention of Diocese of Western New York, 1875.—Journal of 92d Convention of the Diocese of New York, 1875.—Diocese of Albany Convention Journal, 1875.—Diocese of Massachusetts Convention, 1875.—The complete issues of the Historical Club of the American Church, 1874-5—and fifteen Pamphlets, Speeches, Reports, etc.

From William Roome.—Old newspapers, 1800, 1808, 1822.—A specimen of New Jersey Currency, dated April 16th, 1764.

From Joseph F. Tuttle, D.D.—Address of General T. C. H. Smith, at the dedication of the Washington County Soldiers' Monument, Marietta, Ohio, 1875.—Historical Sketch of the Schools of Dayton, by Robert W. Steele.—Civil and Military Engineers of America.—Sidney Centennial, 1872.—Mannal of the First Pres-

byterian Church, Chicago.—Defense of Presbyterian Doctrine and Order, by Thomas H. Skinner.—History of the half century celebration of the First Presbyterian Church, Franklin, Indiana.—In memoriam James S. Seymour, by Charles Hawley, D.D.—History of the First Presbyterian Church, Auburn, N. Y., by Charles Hawley, D.D.—Fifteenth Anniversary of the Brick Church, Rochester, N. Y., 1875.

From Beach Vanderpool—Report of the Commissioners to select a site and build an asylum for the Insane, 1875.

From United States Patent Office.—Official Gazette, Vol. 9, Nos. 1 to 16 inclusive.

From Dr. Samuel A. Green.—Sanitary Condition of Boston, 1875, and other Pamphlets.

From W. P. Garrison.—Constitution of the New England Society of Orange, N. J., 7th edition.

From Mrs. James J. Carter.—Duplicate list of the taxes levied in Newark, 1823, 1831 and 1834.—Tax lists South Wark, 1833, 1834 and one year without date.—Poll lists 1840, 1841 and 1842.—The number of Inhabitants given in 1834 is 12,725.

From Samuel W. Pennypacker.—Penn Monthly, February, 1876,

From William A. Whitehead.—The Alleged Atheism of the Constitution.—Miscellaneous pamphlets and maps.

From Charles G. Rockwood.—The National Temperance Advocate.—History of Foly's Gold Pens.

From Mrs. Robert Gray.—Revolutionary manuscripts.

From United States Coast Survey.—Report of the Superintendent, 1872.

From E. D. Halsey.—Two numbers of the Iron Era, containing items of local history.

From Astor Library.—Annual Report of the Trustees, 1876.

From Amos H. Searfoss.—Copy of the testimony read in the case of Horace H. Day vs. Charles Goodyear.—Minutes Grand Lodge, I. O. O. F., of N. J., 18 pamphlets.—Minutes Grand Encampment, I. O. O. F., of N. J., 11 pamphlets.

From John A. Gifford.—Badge worn at the funeral ceremonies of ex-President Jackson, 1845.

- From H. Phillips, Jr.*—Newspaper notice of the earliest American expeditions to the Arctic regions.
- From Sheldon Smith.*—Washington Astronomical and Meteorological Observations, 1873.
- From William Foster Dodge.*—The Industrial Interests of Newark.
- From Francis Barber Ogden.*—By-Laws, etc., of the Cincinnati of New Jersey, 1876.
- From the Publishers.*—Consecutive numbers of the National Standard.—Hackettstown Herald.—Bloomfield Record.—Orange Journal.—Weekly State Gazette.—Princeton Press.—Centennial.—American Journal of Education.—Newark Artizan.—The American Biblioplist.
- From United States Bureau of Education.*—Circulars of Information.
- From Rev. Allen H. Brown.*—Minutes of the Sessions of the Synod of New Jersey, 1873, 1874 and 1875.
- From William M. Lee.*—Almanac, 1770, by Nathaniel Low, Boston, Mass.—Connecticut Journal, February 23, 1803.
- From Mrs. William Grummon.*—Manuscript copy of a division of lands among the first lot right settlers of Elizabethtown, 1699, 1700, certified as a true copy taken by me, Caleb Jeffreys, April 4, 1736.
- From R. S. Swords.*—The Outward Business of the House of God.—Sermon by G. Z. Gray, 1875.—Memorial of the Opening of the New York and Canada Railway, 1875.—Annual Report Delaware and Hudson Canal Co., 1875.—Constitution of the New York S. P. C. A., 1876.—Laws of New York relating to children, 1875.
- From Henry J. Yates.*—Message as Mayor of the City of Newark, with Reports of City Officers, 1876.
- From R. A. Brock of Richmond, Va.*—The vestry book of Henrico Parish, Va., 1730, 1773.—Publications of the Virginia Historical Society, New Series, No 1.—Report of the Commissioners appointed to ascertain the Boundary between Maryland and Virginia, 1873.—Report of the Internal Improvement Company, 1875.—Report of the Eastern Lunatic Asylum, 1873, and 19 miscellaneous pamphlets.

TRENTON, January 18th, 1877.

THE NEW JERSEY HISTORICAL SOCIETY held its thirty-third annual meeting in the Rooms of the Board of Trade, at 11:30 A. M., which proved to be one of its most interesting gatherings, many prominent gentlemen from different parts of the State being present, the REV. SAMUEL M. HAMILL, D.D., President, and HON. JOHN CLEMENT and MR. PETER S. DURYEE, Vice Presidents, presiding.

The Recording Secretary read the minutes of the last meeting, which were approved.

The Corresponding Secretary made his report on the correspondence since the meeting in May. Hon. Henry C. Murphy, of Brooklyn, L. I., acknowledged his election as an honorary member. Messrs. William Nelson and Benj. Aycrigg accepted their appointments as representatives of the Society at the Princeton Centennial celebration. Messrs. C. H. Hart and J. A. Woodward, of Philadelphia, Rev. J. F. Tuttle, D. D., of Indiana, Miss Henrietta A. Day, of Newark, Messrs. F. E. Mather and O. S. Baldwin, of New York, Rev. C. D. Bradlee, of Boston, Mr. P. Cudmore, of Minnesota, Mrs. E. Mulford Palmer, of Camden, Grand Lodge of Iowa, U. S. Department of Interior, U. S. Medical Bureau, and Academy of Natural Sciences, Davenport, Iowa, transmitted donations for the library. The Historical Societies of Delaware and Vermont, and Mr. Thos. C. Murray, of Baltimore, were desirous of obtaining the Society's publications. Messrs. Samuel Briggs, of Cleveland, Ohio, B. F. Davenport, of Boston, W. F. Beach, of Macon, Missouri, C. J. Hubbard, of Navy Yard, Portsmouth, N. H., Wm. Kelley, of New York, and Rev. G. T. Riddell, of Harrison, Maine, made Genealogical enquiries after families with whom they were connected. Rev. David Craft wrote in reference to an intended history of Bradford county, Pa., and the Rev. G. S. Mott, D. D., of a proposed history of the Presbyterian Church at Flemington, N. J. Gen. W. S. Stryker, of Trenton, communicated information respecting the Society's exhibits at the Centennial. Mr. LaFayette Angelman, of Plainfield, asked for definite information as to the character and extent of the Society's Library. The American Antiquarian Society, of Worcester, expressed their thanks for a volume

of their Collections returned to them, and letters from John F. Hagan, of Princeton, Hon. John Clement, of Haddonfield, Mr. B. W. Throckmorton, of Jersey City, and other gentlemen had reference to various topics connected with the Society's operations.

The Treasurer submitted his report, * showing a balance of cash in the treasury of \$907.17, with \$638 due from members in arrears.

DR. SAMUEL H. PENNINGTON submitted the report of the Executive Committee, in which they referred to the reports of the officers and special committees for the details of their several departments during the months that had elapsed since the last meeting of the Society, and cordially approved of the recommendations which would be presented by the Library Committee relating to the publication of a catalogue and the introduction of sundry improvements. Although the whole burden of the rent of the rooms had now to be borne by the Society, no other association sharing it as heretofore, it was hoped that the current receipts, and the liberality of individual members, would supply all the means needful for the successful prosecution of the various contemplated projects.

As reported by the Committee on the Library at the last meeting, the request of the Commissioners to place some of the Society's valuable historical relics in the Centennial Exhibition at Philadelphia, had been complied with, and the following duly forwarded:

- No. 1. Portrait in oil of Aaron Burr, presumed to have been painted by Stuart.
- No. 2. Exemplified copy of the Grant from Charles II. to James, Duke of York, for New York and New Jersey, March 12th, 1664. Made for John Fenwick and brought to West Jersey in 1674.
- No. 3. Original Lease for a year from James, Duke of York, to Lords Berkley and Carteret, for the whole of New Jersey. Dated June 23d, 1664.
- No. 4. Original Release of the same, dated June 24th, 1664.
- No. 5. Original Lease for a year from James, Duke of York, to Sir George Carteret, for the Northern part of New Jersey, dated July 28th, 1674.

* See subsequent page.

- No. 6. Original Release of the same, dated July 29th, 1674.
- No. 7. Original Quintipartite Deed between Sir Carteret, William Penn, Nicholas Lucas, Gawen Lawrie, and Edward Byllinge, dated July 1st, 1676, dividing the province into East and West Jersey.
- No. 8. Original Release of Elizabeth, widow and Executrix and the Trustees of Sir George Carteret to the first Twelve Proprietors of East Jersey, dated January 1st, 1681-2.
- No. 9. Original Release of James Duke of York, to Edward Byllinge, William Penn, Gawen Lawrie, Nicholas Lucas, John Eldridge and Edmond Warner, for West Jersey, dated August 6th, 1689.

"These parchments and portraits"—said the Committee—"were properly framed and boxed, and entrusted to the special care of the commissioners charged with their exhibition, with the understanding that they were to be returned in the same good condition free of all charges and expenses, and with the scarcely needed admonition that their loss would be irreparable. For a time our contributions were not available for want of a proper place to display them within the Exhibition grounds, but about the 1st of July they were by permission of the Committee, taken to the fire proof apartments of the Academy of Fine Arts and added to the collections of a like character received from other States and Historical Societies, where they attracted the attention they deserve. A recent letter from Col. Frank M. Etting, Chairman of the Commemorative Commission, brings the information that it is intended, if possible, to keep the collection together until Spring, and permission is asked to retain the contributions of the Society for some time longer. The Committee submit the request for the action of the Society."

"Since the last meeting Death has struck from our roll of members two gentlemen who were identified with the Society from its organization—Ex-Chancellor Green and Mr. Alofsen.

"HENRY W. GREEN was present and active in the formation of the society, at the meeting held in the City Hall, Trenton, on the 27th of February, 1845; became one of the Executive Committee in 1851; was elected one of the Vice Presidents in 1862, and in January, 1875, succeeded the Rev. Dr. Rodgers as President. The

state of his health, however, obliged him to decline a re-election in 1876. While in the enjoyment of good health he was an attendant upon our meetings whenever his public duties permitted, and participated in the discussion of various topics that at such times called for the action of the Society,

“By birth a Jerseyman, Mr. Green received his early training in the educational institutions of his native State, and spent his whole life, professional and official, in her service; and it may be affirmed with justice that none of her sons has more worthily or with greater distinction, adorned her annals, or labored more assiduously to promote the enterprises that have served to advance her prosperity and elevate the moral condition of her population. Her noble works of philanthropy found in him a friend and advocate; and her higher institutions of learning will cherish in grateful remembrance his counsels and efforts, as among the most effective agencies to which are due their enlarged facilities and their present deservedly high reputation.

“Of the bench and bar of New Jersey he was a distinguished ornament. To an intellect of rare capacity, a temperament that prompted to the intent application of his mental powers to the work before him, a conscientious sense of the requirements of duty to his clients and the public, he added the results of careful culture, exhaustive research and profound thought; qualities which, united with a fluent and impressive diction, made him eminently successful in his earlier forensic efforts, and were even more conspicuous in those opinions and decisions from the seats of judicial authority—models of righteous judgment, varied learning and stern logic, expressed in language pure, terse and forcible—that have secured him an exalted rank among the jurists of the State and the country.

“Nor were his virtues in the more private relations of life, though less conspicuously demonstrated, less worthy of commemoration. Constitutionally ardent and of warm sympathies, his attachments were strong and enduring; and those who were admitted to his friendship will hold the memory of the privilege among their most precious recollections. In his religious sentiments, he was earnest, though simple-hearted and unobtrusive. Tolerant and respectful of the opinions of others, he loved the church of which he was a member

and office bearer, contributed liberally to her beneficent enterprises, and was ever ready to aid her with his judicious counsels. His tastes no less than his regard for official propriety, kept him aloof from the strifes of political parties; but his sincere love of country did not permit him to be an indifferent observer of current events. His keen insight of character, his sagacious perception of the bearings of agitated questions of State and National polity, and his strong sense of right, led him to the adoption of decided opinions of public men and public measures, which were not concealed from those who enjoyed his confidence, nor without their influence, silently exerted, on the popular sentiment.

"Mr. Green was born in Lawrenceville, in this State, on the 20th of September, 1804. After careful preparation under the care of the Rev. Isaac V. Brown, D.D., in the excellent classical institution in his native village, he entered the College of New Jersey and graduated thence, with high honor, in the year 1820, at the early age of sixteen with a class distinguished for the number of its members who have risen to eminence in the Church and the State. He began the study of law under the late Chief Justice Ewing and completed his preparation for the Bar under Hon. Garret D. Wall. He was elected to the popular branch of the State Legislature in 1842, and in 1844 was chosen a member of the convention that formed the Constitution of the State. He was the same year appointed by Chancellor Pennington Reporter of the Court of Chancery. In 1846 he was nominated by Governor Stratton Chief Justice of the Supreme Court, and renominated by Governor Fort for the same office in 1853, receiving in both instances the unanimous confirmation of the Senate. While occupying this position he received from his Alma Mater the honorary degree of Doctor of Laws. After a service of fourteen years, with great distinction, in this position, he was in the year 1860 nominated by Governor Olden Chancellor, which office he held with like distinction till his retirement in 1866.

"The premature failure of health which caused his retirement, was doubtless due to his intense application, without proper relaxation, to the unrelenting demands of official duty. Wisely yielding to the warning intimation so far as to withdraw from public life, he still continued to perform valuable service to the church and common-

wealth as a member of the board of trustees of "The Theological Seminary of the Presbyterian Church," at Princeton, to which he was elected in the year 1833, and of which he became the honored President in the year 1859; and as a trustee of the College of New Jersey, to which office he was chosen in the year 1850. To his counsels and influence, while holding this important position, are largely due the present advanced rank of that seminary of learning and the munificent benefactions that have adorned the historic soil of Princeton with spacious and elegant structures, which will ever associate his family and ancestry with the fame and usefulness of his venerable Alma Mater. Chancellor Green departed this life at his residence in Trenton on the 19th of December, 1876, in the 72d year of his age.

"SOLOMEN ALOFSON'S name is on our records among the original members of 1845, and from that time until his final departure from the country in 1871, there was scarcely a meeting of the Society at which, by donation or otherwise, he did not manifest the warm interest he felt in its prosperity. From 1860 to 1867, he filled the office of Treasurer, declining a re-election when about to visit the country of his birth. He first came to this country as Secretary to the Dutch Legation, and subsequently became connected with a prominent banking house in New York, and married a lady of Jersey City. His donations to the Society were both of money and books. Among the latter were over six hundred distinct works relating to our Civil War, many of them rare and difficult to obtain, and several busts and portraits of distinguished men.

"Mr. Alofsen was a gentleman of education and culture, the possessor of a large and valuable library, which he took with him to Europe, but which, much to his regret, he was obliged to sell, about a year ago, in consequence of his having no permanent abode, his time being spent between Paris, the residence of an only daughter, Arnhem, Amsterdam and other places in Holland. In 1871 he spent a few months in the United States renewing his associations with his old friends, and the many literary institutions in which he had taken an interest. He died suddenly at Arnhem, on the 19th of October, 1867, aged 67."

After some remarks by Col. SWORDS, JUDGE NIXON, and the

PRESIDENT, on motion of the first-named gentleman the motion was accepted and referred to the Committee on Publications.

MR. WHITEHEAD, from the Committee on Publications, reported that the transactions at the last meeting of the Society were in press and would be published without delay, in connection with those of the present meeting, making another number of the regular printed "Proceedings," which extend back to the organization of the Society in 1845.

But few kindred societies could prevent a like continuous history of their doings in print. The numbers of the "Proceedings" were distributed gratuitously to the resident members who might not be in arrears when they were issued. Some of the volumes of the Society's "Collections" were nearly exhausted, and members desirous of having complete sets were urged to secure those they required without delay.

In the absence of the Chairman, the Corresponding Secretary read the report of the Committee on the Library.

They submitted a list of the additions made by donations since the last meeting, amounting to eighty-five volumes, two hundred and ninety-seven pamphlets, regular files of seven newspapers, five manuscripts, etc.

"These accessions," said the Committee, "and the fact that a larger number than usual of historical inquirers have frequented the rooms, testify to the continual interest taken in the Society and the recognition of its usefulness.

"Some additional progress has been made since the last meeting in the preparation of the Catalogue, and it is hoped that before long it will be ready for publication. It is scarcely necessary to say anything in demonstration of the actual necessity that exists for its completion. To any library a catalogue is essential, but especially so to one like our own, a depository of the waifs of Time—of books and documents whose existence even may not be known to the historical inquirer, and yet may be of great interest and essential value to him in his researches. The catalogue, therefore, becomes itself a history of unknown as well as known facts, a complete hand-book of the sources whence those facts may be derived. Of vast impor-

tance is it, therefore, that our library, so firmly established and bidding fair to grow indefinitely by additions of the greatest variety, should be rendered thoroughly accessible and serviceable by having a comprehensive, properly arranged catalogue of the treasures it possesses. The more perfect its arrangement, the more perfect will be the arrangement of the books themselves, in order that the changes consequent upon accumulations in certain departments may not interfere with, or encroach upon, the limits of others. Already has our library by its growth required several re-arrangements, and such will probably continue to be the case until we shall possess a proper edifice of our own. The Committee hope that, when ready for the press, no hesitation on the score of expense will be felt by the Society about ordering the publication of the catalogue.

“Projected improvements are being considered, whereby our cabinet of historic relics and curiosities will be rendered more attractive, and our collection of Manuscripts, many of which have not been properly arranged, may be more readily consulted.

“The Committee would renew their appeal to the members generally, to use their influence to secure for the library all the memorials of our past history of which they may have information as probably obtainable. Many a garret, or other repository of so-considered valueless papers, oftentimes contains, when submitted to the inspection of a historical explorer, very interesting documents answering important ends, when least expected furnishing data for verifying doubtful events or showing the fallacy of traditional fables.

“A recent very valuable and comprehensive work contains accounts of two interesting events in the early history of East Jersey, exceedingly pleasant to read, and not impossible, but far from probable, although coming to us with such favorable surroundings, as no authority is given for the statements. One of these events is the meeting between Gov. Carteret of East Jersey, and Gov. Nicolls of New York, on the arrival of the former to take possession of the province in 1664. The interview is described most graphically, all the particulars being given for the first time as artistically as if a modern reporter had been present. The other event is the settlement of Elizabethtown and the reception by Gov. Carteret shortly after his arrival, of a deputation from Long Island, representing the

Nicolls' patentees. Time, place and circumstances are minutely given and a speech, full of exalted figures of rhetoric which it is impossible that he could have used, being put in the mouth of the head of the embassy; the notes of the stenographer, supposed to be present, never having been put into print until now, when they come to us embellished with two hundred years of family traditions that will not bear the scrutiny which all history should be able to bear. The pleasing incident in New England Revolutionary history which has given the name of Paul Revere such extended celebrity, has very recently been modified in some of its particulars—the church where the lights were displayed for the government of the adventurous rider and the name of the person who displayed them, being found to differ from the formerly received accounts, through the researches of the Rev. John Lee Watson, of Orange, New Jersey; and our own experience, since the last meeting, in receiving an old, but well authenticated copy of a letter written in 1698 by Lewis Morris to the people of Elizabethtown, relating to the difficulties that then existed in the Province, throwing new light on the views of that prominent man on controverted points at a very eventful period of our history—is confirmatory of the fact that it is not too late, even now, to discover new authentic evidence relating to the earliest events of our history, to establish or refute what may be already known, or to reveal additional information heretofore unknown."

The Committee on Nominations reported favorably on the names of several gentlemen which had been referred to them, and they were elected by ballot. New nominations were received and referred to the Committee.

The Chair appointed the Standing Committees for 1877, as follows:

Committee on Finance—Joseph N. Tuttle, William B. Mott, L. Spencer Goble, Charles E. Young, Elias N. Miller.

Committee on Publications—William A. Whitehead, S. H. Pennington, M.D., John Hall, D.D., William B. Kinney, Joseph N. Tuttle.

Committee on Library—Martin R. Dennis, William A. Whitehead, Robert S. Swords, Robert F. Ballantine, Abram Coles, M.D.,

Committee on Statistics—N. Norris Halsted, F. W. Jackson, E. M. Shreeve, Arthur Ward, M.D., William Nelson.

Committee on Nominations—Robert S. Swords, David Naar, Robert B. Campfield.

Mr. A. G. Ritchie, Rev. Dr. Sheldon and Gen. W. S. Stryker were appointed a committee to nominate officers for the ensuing year. They subsequently reported the following, who were duly elected :

President—SAMUEL M. HAMMILL, D.D., of Lawrenceville.

Vice-Presidents—JOHN T. NIXON, of Trenton, PETER S. DURYEE, of Newark, JOHN CLEMENT, of Haddonfield.

Corresponding Secretary—WILLIAM A. WHITEHEAD, Newark.

Recording Secretary—ADOLPHUS P. YOUNG, of Newark.

Treasurer—ROBERT S. SWORDS, of Newark.

Librarian—MARTIN R. DENNIS, of Newark.

Executive Committee—SAMUEL H. PENNINGTON, M.D., of Newark ; WILLIAM B. KINNEY, of Morristown ; JOHN HALL, of Trenton ; SAMUEL ALLINSON, of Yardville ; N. NORRIS HALSTED, of Kearney ; JOEL PARKER, of Freehold ; MARCUS L. WARD, of Newark ; JOSEPH N. TUTTLE, of Newark ; GEORGE SHELDON, D.D., of Princeton.

Donations to the library were presented by MR. HAGEMAN, JUDGE BUCHANAN and MISS STAFFORD ; the latter also exhibited the original, and deposited with the society a certified copy, of the letter from the Marine Committee, dated Philadelphia, December 13th, 1784, accompanying "Paul Jones' starry flag of the Bonne Homme Richard, which was transferred to the Alliance," a boarding sword and a musket captured from the Serapis, which the committee bestowed upon Lieut. James Bayard Stafford, her father, and which are still in her possession.

MR. WHITEHEAD stated that among the interesting features of the exercises in Philadelphia, in July last, commemorative of the adoption of the resolution of Independence in 1776, was the presentation in old Independence Hall, by gentlemen selected from all parts of the country, of brief memoirs of the Signers of the Declaration, and other distinguished men of the time. Of course the

names and services of several of New Jersey's noble patriots were duly commemorated by gentlemen from the State, of whom he had the honor to be one, and he had hoped that before being given to the press—as he understood was the ultimate intention of the Commission—the several papers might have been communicated to the Society. He had succeeded, however, in securing only one, beside his own, and introduced B. W. Throckmorton, Esq., of Jersey City, by whom a sketch of one of the prominent Jerseymen of the time had been prepared.

MR. THROCKMORTON then read a brief memoir of John DeHart, of Elizabethtown, who was a member of the First Congress of 1774–5, and otherwise identified with the patriotic measures of that and subsequent periods of the revolution.

On motion of COL. SWORDS, it was resolved that the thanks of the Society be presented to Mr. Throckmorton for his interesting paper, and that he be requested to place a copy at the disposal of the Committee on Publications.

ADJUTANT GENERAL STRYKER presented and read a paper on Col. Philip Johnson, of New Jersey, who was killed at the battle of Long Island, August 27th, 1776.

After some remarks from the REV. DR. MOTT, of Flemington, on motion of JUDGE BUCHANAN the paper was referred to the Committee on Publications.

On motion of MR WHITEHEAD, it was, in accordance with the suggestion of the Executive Committee :

Resolved, That the Committee on the National Centennial Commemoration in Philadelphia be allowed to retain the Society's contributions to their exhibition, until the 1st day of May next.

MR. WHITEHEAD then read a memoir of Richard Stockton, one of the signers of the Declaration from this State, and submitted therewith, for the inspection of the members, the *original minutes* of the Provincial Congress of New Jersey on the 22d of June, 1776, containing the instructions of that body to their representatives in the Continental Congress.

On motion of DR. PENNINGTON the thanks of the Society were

voted to Mr. Whitehead, and he was requested to place a copy of his paper at the disposal of the Committee on Publications.

The Society then took a recess until 3.30 P. M., and on reassembling MR. RITCHIE offering the following resolution :

Resolved, That the Rev. Dr. Mott be requested to furnish the Society with a paper on the history of Hunterdon county, to be read at the next meeting of the Society.

Dr. Mott was understood to accede to the request to prepare the paper, but would not engage to have it ready for the next meeting.

REV. DR. SHELDON made some remarks upon the value of the numerous historical papers, addresses and sermons which the Centennial year had produced, and presented the following resolution, which was adopted :

Resolved, That the Corresponding Secretary be requested to present to the Society at the meeting in May next, to be placed on our records, a condensed statement of the various celebrations, civic and military, that were held in various places in the State during the past year, in commemoration of the Centennial of our National Independence.

In furtherance of the same object, on motion of the REV. MR. BROWN, it was : Resolved that the Society issue a call requesting that copies of all historical discourses delivered in New Jersey during the Centennial year may be forwarded to the library.

The HON. JOHN F. HAGEMAN, of Princeton, then read an exceedingly interesting and valuable paper on "Princeton in the Revolution," containing much information relating to that eventful period that Mr. Hageman's researches have elicited from original sources, which was listened to with much satisfaction.

On its conclusion, JUDGE NIXON, after some complimentary remarks, offered the usual vote of thanks, accompanied with a request that, should it not conflict with Mr. Hageman's intentions, the Society would be pleased to have a copy placed at its disposal. It was understood, however, that the paper constituted a portion only, of a work he is preparing for the press on the history of Princeton.

After a vote of thanks to the Board of Trade and Young Men's Christian Association for the use of their rooms, the Society adjourned to meet in NEWARK on the third Thursday of May next.

TREASURER'S STATEMENT OF FINANCES TO DEC. 31, 1876.

TREASURER'S STATEMENT.

175

1876.	RECEIPTS.	EXPENDITURES.
January 1.	Balance Cash on hand.....	For the Library including Rent and Salary.....
From Annual Dues.....	\$1,483 60	" Expense account, including Janitor, and Inciden-
" Initiation Fees.....	429 00	tals.....
" Life Member Fee on account.....	35 00	" Binding.....
" Sale of Collections and Proceedings.....	10 00	" Printing Proceedings.....
Rent of West Park street Lot.....	26 75	" Cash Deposited in American Trust Co. full amount
Newark Savings Institution, Int. on Deposits..	300 00	of Legacy of Thomas Barron.....
Executors of Estate of Thomas Barron, Legacy	63 60	" Balance Cash on hand
under his will less 6 per cent. Interest.....	4,825 00	
" American Trust Co. Int. on Certificate of Deposit	225 16	
	<u>\$7,398 11</u>	<u>\$7,398 11</u>
Annual Dues in Arrears.....	\$638 00	
		ROBT. S. SWORDS, <i>Treasurer.</i>
		NEWARK, N. J., Jan. 31st, 1876.
Lot of Land in West Park Street, estimated last year.	\$10,000 00	The undersigned Committee of Auditors from the Finance
Cash on Deposit in Newark Savings Institution.....	1,060 00	Committee, having examined the books and accounts of the
" Dimes Savings Institution, Life		Treasurer with the vouchers, report the above statement
Member Fees.....	1,240 26	correct.
Cash on Deposit in American Trust Co.	254 06	
Cash Certificate of Deposit, No. 622, in American		
Trust Co., Barron Legacy.....	5,000 00	
Cash in Treasury.....	907 17	
	<u>\$18,461 49</u>	
Total Assets.....		

WILLIAM B. MOTT, {
F. N. MILLER, { *Auditors.*

Newark, January 13th, 1877.

Donations

ANNOUNCED JANUARY 18th, 1877.

From Joseph L. Tuttle, D.D.—Historical Discourses; Inaugural Addresses and Miscellaneous Pamphlets, one hundred and two in all.

From George W. Seward.—The Pulpit of the American Revolution, by J. Wingate Thornton.

From Hon. F. H. Teese.—President's Message and Documents, (abridgment) 1875-6.

From R. S. Swords.—Eighth Annual Report of the Board of Trade, Newark, N. J. Proceeding at 8th annual meeting of the National Board of Trade, 1876. Rules and Regulations 18th Fair N. J. Agricultural Society.

From Thomas F. De Voe.—Rode's New York City Directory, 1854-5. Trow's do., 1856-7.

From State of Michigan.—Sketches of the History, Resources and Industries of Michigan, 1876,

From Edmund Quincy.—Speeches of Josiah Quincy, 1805-1813.

From the Authors.—Historical Discourse in Presbyterian Church, Perth Amboy, July, 1876, by Rev. Aaron Peck. Speech on the Admission of New Mexico, 1876, by F. H. Teese, M.C.

The Conference at Bonn, 1875, by Wm. Stevens Perry, D.D.
Historical Address, Groton, Mass., second edition, by Samuel A. Green, M. D.

Oration and Centennial Proceedings, Jersey City, N. J., by C. H. Winfield.

The Civil Government of the States and the Constitutional History of the United States, by P. Cudmore, second edition, 1875.

Sermon before Prot. Epis. Convention, N. J., 1876, by George Morgan Hills, D.D.

Sermon in the church at Harrison Square, Dorchester, 1876, and Thoughts for Christmas, 1873, by C. D. Bradlee.

A Century of Beneficence, 1769-1869, Historical Sketch of the Corporation for the relief of the Widows and Orphan children of

Clergymen in the Prot. Epis. Church of Pa., by John Wm. Wallace, Phila., 1870.

Sermon before the last convention of the undivided Diocese of Western New York, 1868, by Geo. Morgan Hills, D.D.

Memoir of Sir. Wm. Penn, Knight, etc., by P. S. P. Conner.

The Reed Controversy, by Wm. S. Stryker.

Historical discourse, Wyalusing Pres. Church, 1869, by Rev. D. Craft.

Family record of Robert Bond and Jacob Price, by Mrs. Daniel Price.

History and description of Cedar Lawn Cemetery, by William Nelson.

Indiana in the war of the Rebellion, by H. H. Terrell.

Historical discourse Presbyterian church, Madison, N. J., 1865. Rev. Robert Aikman.

Historical and Statistical memoranda relative to Passaic County, N. J., by William Nelson.

The Bible in the past one hundred years, by Rev. William J. R. Taylor, D.D.

A memorial of Increase Allen Lapham Reall, before Wisconsin Natural History Society, by Charles Mann.

Memoir of John Maclean, M.D., the first Professor of Chemistry in the College of New Jersey, by his son John Maclean, D.D. Privately Printed, 1876.

From —Donations to the people of Boston, suffering under the Port Bill, 1774-77. The Garrison Mob, Edited by Theodore Lyman. The Sanitarian, Dec., 1876.

From Henry Phillips, Jr.—Newspaper slips containing "A Pre-Historic Pompeii."

From Dr. S. A. Green.—Thirteen miscellaneous pamphlets.

From Rev. W. S. Perry, D.D.—Ten miscellaneous pamphlets.

From the Publishers.—The Irish Citizen, June 24th.—Consecutive numbers of Princeton Press.—National Standard.—State Gazette—Orange Journal—Bloomfield Record—American Bibliopolist—American Journal of Education—Hackettstown Herald—Newark Artizan—American Literary Bureau, July, 1876, 2 copies—

- American Library Journal, Vol. 1.—Penn Monthly, Sept., 1876.
- From Mr. Morehouse.*—School Laws of Michigan—Anniversary of the Baptist church, Portland—Course of study in Public schools, Portland.
- From the Grand Lodge of A. F. and A. Masons of N. J.*—Proceedings, 1874–76.
- From United States Patent Office.*—Official Gazette, Vols. 9 and 10. General index, 1875.
- From Edmund D. Halsey.*—Fac simile of the original “Morristown Ghost,” as published in 1792.
- From H. E. Sibley.*—Sermon before Protestant Episcopal Convention, 1876, by George Morgan Hills, D.D.
- From George F. Tuttle.*—William Tuttle of New Haven, 1635. Address at the Tuttle gathering, by Joseph F. Tuttle, D.D.
- From Frederick Mather.*—The Dewitt Dispensary. Annual reports 1851–1876.
- From Rev. John L. Watson, LL.D.*—The Paul Revere Signal Lanterns shown from Christ church, Boston—Memoirs of the Marstons of Salem, reprint from N. E. Gen. and Biog. Reg., 1873.
- From Miss Henrietta Day.*—Newark Gazette, No. 1, Vol. 14, 1798.—True American, July, 1802.
- From R. A. Brock.*—Virginia newspapers, containing historical articles.
- From United States Coast Survey Office.*—Report, 1873.
- From Pennsylvania Commissioners of Public Charities.*—Sixth annual report, 1876.
- From United States Engineer Department.*—Report of explorations across the great Basin of Utah, by Capt. J. H. Simpson.
- From Mrs. William H. Hussey.*—Taxation of Women, by William L. Bowditch, and other pamphlets—Memoir of Isaac Collins, Historical discourse, Springfield, N. J., by Rev. H. W. Teller.
- From the Brazil Centennial Commission.*—The Empire of Brazil at the Universal Exhibition in Philadelphia, in English, French and German, 3 Vols—Agricultural instructions for those who may emigrate to Brazil—Catalogues, etc., 7 pamphlets.
- From William Nelson.*—Proceedings of the Board of Freeholders

- of Passaic County, 1876—Reports of city officers, Paterson, N. J., 1876—Report of the Board of Education of Paterson.
- From Robert Clark.*—Pre-Historic Remains, Cincinnati.
- From Robert Clark & Co.*—Bibliotheca Americana.
- From William R. Duryee.*—Centennial of the Inhabitants of Communipaw and Lafayette, N. J., 1876.
- From Vernon Royle.*—Report of the Board of Education of Paterson N. J., 1876.
- From Worcester Young Men's Christian Association.*—Abstract of the President's report, 1876.
- From United States Department of the Interior.*—Thirty-six volumes Congressional documents—Public Libraries in the U. S., Part 1.
- From J. Swinburne.*—Third annual report of the Paterson Board of Trade, 1876.
- From Hon. Frederick T. Frelinghuysen.*—Medical and Surgical History of the Rebellion, Vol. 2.
- From William A. Whitehead.*—Forty pamphlets—Broadside—newspaper slips, etc.—Historical sketch of Key West, Florida, 1876.
- From Yale College.*—Catalogue of Officers and Students, 1876-7—Obituary record, 1876.
- From Mercantile Library of New York.*—Catalogue of English prose fiction in the Library.
- From the Essex Institute.*—Bulletin Nos. 9, 10, 11, 12 of Vol. 7, January and February—Historical Collections, April to July—Catalogues, etc.
- From the New York Genealogical and Biographical Society.*—The Society's Record, July and October, 1876, January, 1877.
- From American Philosophical Society.*—Proceedings, Vol. 16, No. 97.
- From New England Historic and Genealogical Society.*—Register for July and October, 1876, January, 1877.
- From Georgia Historical Society.*—Proceedings at the dedication of the Hodgson Hall, 1876.
- From Chicago Public Library.*—Fourth Annual Report.
- From Davenport Iowa Academy of Natural Sciences.*—Proceedings, Vol. 1867, 1876.
- From Historical Society, Minnesota.*—History of St Paul.
- From Historical Society of Pennsylvania.*—History, Manners and Cus-

toms of the Indian Nations, by Rev. John Heckewelder, new edition, 1876—Catalogue of Charities conducted by women—Biographical sketch of William Penn.

From Massachusetts Historical Society.—Proceedings, 1875-6. Vols. 2 and 3.

From Maryland Historical Society.—Journal of Charles Carroll of Carrollton, 1776.

From New England Society of Orange, N. J.—Scenery, No 1, 1876.

From Vermont Historical Society.—Address by Hon. Edward A. Sowle, 1876.

From Historical and Philosophical Society of Ohio.—Reports, 1874, 1875-6.

From Smithsonian Institution.—Contributions to Knowledge. Vols. 20 and 21. Reports, 1863, '65, '68, '69, '70—The Empire of Brazil at the Universal Exhibition of 1876 in Philadelphia.

From the Grand Lodge, I. O. O. F. of N. J.—Minutes of session of 1876.

From Grand Lodge of A. F. & A. Masons of Iowa.—Proceedings, Vols. 1 to 6. Proceedings of the Grand Chapter, R. A. M., Iowa, Vol. 1 and 2. Catalogue of the Library of the Grand Lodge of Iowa, 1873—9 volumes.

From Henry Congar.—Historical Discourse, Springfield, N. J., by Rev. H. W. Teller.

From Abraham Van Fleet.—History of the Presbyterian Church, Flemington, N. J.—2 copies.

From Dr. Samuel Lilley.—China and Her Neighbors, in Chinese Language, by Rev. Young J. Allen—Four Numbers of a Periodical in the Chinese Language, January 3d, 10th, Sept. 7th, 14th, 1874.

From O. S. Baldwin.—Baldwin's Monthly.

From James D. Brown.—One dollar note of Confederate States of America, 1862.

From George R. Swords.—Sharks Teeth from fossil beds in the Ashley River, S. C.

From Angus McDonald.—Arrow Head found at Culpepper, Va.

From Charles J. Williams.—Three dollar bank note, Manufacturers' Bank, Belleville, N. J., 1836.

From Charles Henry Hart, Philadelphia.—Three manuscripts.

From William Grummon, H. J.—Deed Tabitha Wood to Ichabod Grummon, 1762, for Land near Elizabeth.

Resident Members Elected.

JANUARY 18th, 1877.

Rev. John Ewing, *Clinton, Hunterdon Co.*

Josiah P. Huntoon, *Paterson.*

Leslie D. Ward, M. D., *Newark.*

Henry M. Crowell, *Newark.*

Corresponding Member.

Wharton Dickinson, *Scranton, Pa.*

Selections from Correspondence and Papers.

LAID BEFORE THE SOCIETY, JANUARY 18th, 1877.

LETTER FROM LEWIS MORRIS TO THE PEOPLE OF ELIZABETHTOWN.

Received from Mr. J. A. WOODWARD of Philadelphia.

* * * The events of the year 1698 were of peculiar interest to the inhabitants of East Jersey. The difficulties attendant upon the government of the Proprietaries had become yearly more manifest. With a portion of them in England, having no personal acquaintance with the effects of their own measures, and another portion in the province, having different views as to what would most conduce to its welfare, it was impossible to secure the harmony of action, without which progress in the essentials of prosperity could not be made. Jeremiah Basse had arrived with his commission as Governor—defective from its not having the King's approval, and the assent of a sufficient number of the proprietaries, sixteen being requisite, whereas, he had only ten—and had placed himself at once in an antagonistic position to many prominent men of the province, who had the boldness to call his authority in question. Lewis Morris, one of these, he had turned out of the Council and caused to be fined and imprisoned for contempt of one of his courts, and the following letter, written while Morris was yet burning with indignation at the treatment he had received, will be found to contain much respecting the proprietaries as a body that differs materially from his usual course, which was to sustain them in the prerogatives they claimed; and ten years later he rendered them essential service in England, whither he went to advance their interests in the settlement of the momentous questions, involved in the surrender of the government to the Crown. [See East Jersey under the Proprietors, pp. 196–199, 211–219.] The letter as here given being printed from a copy of a copy, the author should not be held accountable for many peculiarities, especially of orthography and punctuation, and it is very evident that the copyist has failed to decipher correctly some of his sentences.—Ed.

TINTON, July 13th, 1698.

GENTLEMEN:—Upon notice I had that you were Design'd to solicit his Majesty; I was very glad you were resolute to alter the

present Circumstances, and I could wish the other towns of this unhappy province were as Sensible of their Condition as you are. I must confess I should not be much troubled were those who believe the prop'rs C—ts & f—s¹ & love their Government the only persons hurt by it. But since there are others that are Involved (by the folly and sluggishness of the former) under the same Calamity of being governed by base inconsiderable persons, who really have not the right to govern I think it is hard.

Nay even amonge the mock Lords proprietors, there are some that deny the use of arms, a tenat not the safest to be held by those that pretend a right to govern ; It leaves us Naked & Defenceless a pray to any bold Intruder, Subject to all the Rage of a Cruell Enemy and the Barbarous Insults of the perfidious Heathen that are round about us—I have said the proprietors have not the right to govern. And it is from these reasons :

1st. It was only Granted to the Duke and Could not be granted by him to them : Especially it could not be purchased by them as a property, for if it could be purchased by 24, these 24 Might Divide & Subdivide and so we shall have 24 or 2400 ports for they pretend to have purchased both, and they Claim the ports as their property, as well as the Government, and they have a Like right to both.

The power of Erecting ports being in the Lords &c., and the power of Government in the Nation of England who never sold it to the proprietors I Believe : and if the King (of whom they pretend to have purchased), Can sell any of the Governmen the can sell the whole to a subject, or to a foreigner for I know of no law that Restrains the one and Tolerates the other, & so may sell the Kingdom of England to the King of France to Morrow,—and it seems to me a Contradiction to have the property of Government: and at the same time be a subject.

2dly. If the Government is Alienable, I cannot find that it ever was aliened to the 24 ; Nor so much as liberty given them to Govern (as they do) or Otherways. The Kings Subjects, for the 24 Natural Bodys of Thomas Hart, Peter Sonmans and the rest were never by the King Incorporated, and made one body politique, by any name

¹So in the copy, but the meaning is not apparent.

nor of any place, Nor none of their grants have words Sufficient in the Law to make them so, Urge no right to govern &c. After all granting it Lawfull for the proprietors to govern, I humbly Conceive it is not Expedient they should for the following Reasons :

Impr^a they are both Judge & party which Cannot be safe for the people.

2dly. If it was possible to Obtain a Judgment against them they have no Effects nor are their bodys here, & if they were, how would and proper,² is it to keep the Govern^r & propri^{rs} in position and the Govern^r & propri^{rs} by their Warrants Levy of Distress upon the Gover^{rs} & prepr^{rs} goods.

3dly. In case any tax be Levied the propr^{rs} lands pays Nothing which would be Remedied if we were under another Govern^t.

4thly. All that purchast Land of the Indians by Gove^r Nicholas Leave would pay them no Quit rents, which would keep money in the Country.

5thly. While the propri^{rs} keep the Govern^t it keeps up the price of their own Lands and Leaves that of the inhabitants.

6thly. Their keeping the said Government makes the Quit rents of twice the Value that otherwise they would be.

7thly. There is no Believeing any thing they say, or write, as may be seen in the following instances :

Contradiction—Imprimus They pretend to ports as a property purchast by them, Mr. Coll Bass their Gove^r in his last proclamation says tis Appointed by the Lords, &c.

Affirmation—In their Concessions they say Lands possest seven years shall not be subject to any Resurvey.

Contradiⁿ—Their Surveyor Resurveys and they patent Land after three times Seven Years possession.

Affirⁿ—They say in their last letter (when Mr. Willocks signs as one of them) that the Act of parliment Disabled Coll. Hamilton Because a scotchman &c.

Contrⁿ—Thomas Gorden, Esq^r no more an Englishman than Coll. Hamilton is their Secretary and Mr. Willocks (as I am Inform'd) one of the Councill and their Surveyor Generall.

² The copyist here evidently at fault.

What need, I instance more, here is say and unsay enough and I know you are very sensible of them so must Every Body Else that will give themselves Liberty to think, and if it be Either Safe or Honorable to live under Such masters then I mistake.

They that like the proprietors Govern^t may say what they please of the King's Govern^t and of the Taxes & Burdens &c.. But as the worthy Mr Hamilton said its much better to be Govern^d by the head than by the feet. Their quit rents are an unjust tax upon us & our heirs forever, and their Surveyors pinching here a bitt and there a patch out of the Lands of honest men, which they have wrought very hard to pay for is not the most pleasing thing that Ever was done.

And as much as they Cry out against New York and the great hurt it will be to the people to be under the King's Govern^t—yet if Mr. Willocks Sells the Quit rents and the people Refuse to maintaine some Lousy fellow that they send for a Governor they'l be the first that will put us there to be under all the Hardships afores^d tis what they have often threatened us with though they dare as well Eat fire as to do it till they have gott what they Can out of us, which they Expect to be £6000 pounds, and then they'l do it not for our punishment but their own Conveniency, for God knows they Care not one straw whether the King or the Devil has the Govern^t, if they have the Money in it. Wretches that Consider not what will become of this poor Country (for such it will be with a witness if ever the propri^{rs} gett the half of 6000 Pounds, out of it) so as their Voracious Appetites be but satisfied.

I would be glad to hear of any of their Admirers Instance but one good thing the propri^{rs} have done for the Country, show where they have perform'd any of the Many promises they have made in their Consessions & by their Gover^t—what trust, what faith is there, in them, what truth in their Letters where is their Integrity, Justice, Honesty & fair Dealing with the Country. Instance you that can for I cannot.

Now after all shall we Lye in the Ditch and Cry help Lord. There is a fable in Æsops of a Country Man that had Cart Mired and prayed to Jubiter for help, Jubiter being Easily Entreated bid the

Swaine put his Back to the wheels, and Immediately his Oxen being sent forward drew his Cart out of the mire, We are in the Swaine's Case Deeply in the Mire and a heavy Load upon our Backs, and we pray and pray and pray again, we are never like to gett out Except we pay as well as pray, we must all put our shoulders to the wheels or twont do. The poet is much in the right when he says

We to our selves are Gods, they thrive who dare.
And forbear is a too¹ to Sloughfull prayer.

My Zeal for the cause I fear has made me tire your patience. I shall conclude by telling you I believe Mr. Nichols² will be the fittest man to serve you. If he declines it as I hope he will not, if you will Except my service I will do my endeavour to serve you to Effect, and will raise two hundred pounds to help bear my Expenses. But whatever you do Gett Mr. Nichols and let not a small sum part you from him, and so I profess myself to be gentlemen

A Zealout to your true Interest and
Your most Humble Servant,

LEWIS MORRIS.

A Copy taken Signed
SAMUELL WHITEHEAD.

A Copy of Do taken,
By HUGH HARTSHORNE.

Endorsed "A Copy of Coll. Morris's Letter to Elizabeth-town."

¹ So in copy.

² Presumed to be William Nichols of New York, who had been engaged as Council in the case of Jeffrey Jones *vs.* Fullerton on an appeal to the King in Council 1696-7. See N. J. Hist. Soc. Proceedings, 2d series, vol. 1, page 175.

COLONEL PHILIP JOHNSON,

BY

ADJUTANT GENERAL WM. S. STRYKER.

READ BEFORE THE SOCIETY JANUARY 18TH, 1877.

One of the first New Jersey officers who gave his life for the liberties of his country in the war of independence was Colonel Philip Johnson, of Hunterdon County. His father was Samuel Johnson, who held a commission as magistrate, in that part of the colony, for more than thirty years prior to the breaking out of the Revolutionary War. His mother was of French descent, her maiden name being Mary Casier. Judge Johnson erected a stone dwelling at Sidney, massive in size and appearance, very strongly built, and it was regarded as a kind of rendezvous for all the neighborhood in case of an Indian invasion, a place suitable in every particular for refuge and defence. In the spacious rooms of this dwelling he was accustomed to hold his court and administer justice to the people of that section, of what is now Hunterdon and Warren Counties. As may be supposed he was possessed of large wealth, and this he dispensed freely in charity, and in the cause of religion. He was during his life one of the strongest supporters of the well known Bethlehem Church. Judge Johnson had seven children older than Philip, by his first wife Sarah Oakley, formerly a resident of Trenton. She died on the first of June, 1739, and he married again, as stated, the following year. Philip Johnson was born at Sidney, August 27th, 1741. In the year 1755 he entered the College of New Jersey, but after a few months spent there he abandoned his studies for a military life, and connected himself with the New Jersey Battalion, in the French War. For several years thereafter he saw much active service, and gained some reputation as a brave soldier. He is spoken of as a very handsome man, very tall, of

great physical strength, and of great personal courage. His wife was a Miss Rachel Martin, a connection of the South Carolina family of that name. They had three children, Mary, Rachel and Elizabeth. The eldest, Mary, married Joseph Scudder, of Monmouth County, and she became the mother of the distinguished missionary family of that name. When the Revolutionary War broke out he was ready with patriotic zeal to fight for the freedom of his country from British rule. On the 3d of June, 1776, the Continental Congress resolved that the Colony of New Jersey be requested to furnish thirty-three hundred men to re-inforce the army at New York. Under this call for troops five battalions were organized, and brigaded under Brigadier General Nathaniel Heard. Stephen Hunt was commissioned Colonel of one of these battalions, consisting of three companies from Somerset County, and five companies from Hunterdon County, and Philip Johnson was made Lieutenant-Colonel of the same, June 14th, 1776. On the 12th of July Colonel Hunt resigned on account of disability, and Lieutenant-Colonel Johnson was promoted Colonel, August 1st, 1776. Colonel Johnson commanded his battalion of twenty-two officers and two hundred and sixty-nine enlisted men for only about three weeks, in the month of August, when he was ordered with Major General John Sullivan's division, to the field on which was fought the terrible battle of Long Island. Here he did good service for liberty's cause, resisting on the right and centre of the line the fierce assault of Colonel Dorp's battalions of Hessian yagers, riflemen and grenadiers at the redoubt at Flatbush Pass, until the fatal bullet started his life-blood. On his very birth-day, August 27th, 1776, thirty-five years of age, he gave his life for the independence of America. In the manuscripts of General Jeremiah Johnson we find the following mention of this soldier: "In the action of Long Island, Colonel Johnson of General Sullivan's division, behaved with remarkable intrepidity and heroism. By the well directed fire of his regiment the enemy were several times repulsed, and lines were made through them, till he received a ball in his breast which put an end to the life of as gallant an officer as ever commanded a battalion." General Sullivan who was riding near him when he was killed, said of him, "No officer could have behaved with greater firmness and bravery throughout the action than Colonel Johnson." The

manuscript referred to closes the allusion to him with these words, "He sacrificed his life in defence of his country, and let his memory be dear to every American heart, as long as the spirit which led him to the field shall actuate the sons of freedom."

MEMOIR

OF

JOHN DE HART.

Since the foregoing sketch was printed it has been discovered that the Colonel signed his name "Johnston," although in all the records it appears as given in the sketch.

by careful study of her old Colonial and Revolutionary history. Even among the many, who seldom pursue historical investigations with vigor, his name is not unknown as that of a man of high culture, and unimpeached integrity of character. Yet, strange to say, history has recorded but little respecting him, and aside from meagre outlines preserved in books, one searches in vain for any well authenticated tradition or anecdote connected with his career.

John DeHart was born in the year 1729, at Elizabethtown, New Jersey. His birth-place remains to this day scarcely altered, a venerated land mark; quaint, almost prosaic, in spite of its associations.

His boyhood and youth were uneventful. He began active life as a lawyer in early manhood. His abilities in this exalted field soon became recognized, and several years of successful practice followed. The time however ere long arrived when the lawyer lost his identity in the Patriot.

The passage of the famous Stamp Act in 1764 excited the utmost

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MEMOIR
OF
JOHN DE HART,
BY B. W. THROCKMORTON.

READ BEFORE THE SOCIETY, JANUARY 18TH, 1877.

The name and reputation of John DeHart is familiar among educated Jerseymen, whose pride in their native state is justly stimulated by careful study of her old Colonial and Revolutionary history. Even among the many, who seldom pursue historical investigations with vigor, his name is not unknown as that of a man of high culture, and unimpeached integrity of character. Yet, strange to say, history has recorded but little respecting him, and aside from meagre outlines preserved in books, one searches in vain for any well authenticated tradition or anecdote connected with his career.

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His boyhood and youth were uneventful. He began active life as a lawyer in early manhood. His abilities in this exalted field soon became recognized, and several years of successful practice followed. The time however ere long arrived when the lawyer lost his identity in the Patriot.

The passage of the famous Stamp Act in 1764 excited the utmost

indignation in all the Colonies. None felt it more keenly than New Jersey. To her *lawyers* belong the honor of having been the first to adopt measures for a systematic opposition to the use of Stamps.¹ During the September term of the Supreme Court held at Amboy in 1765, a meeting of the bar was held. After full and earnest discussion a unanimous agreement was reached that they would not consent to use the stamps under any circumstances, for any purpose whatever.

The effect of this resolution if carried out could easily be foreseen. It would put a stop to all legal transactions. Yet the responsibility of advocating and sustaining the measure, and the loss and inconvenience that followed, were cheerfully borne by the patriot DeHart.

Ten years rolled on with their varying events, when the Parliament of Great Britain excited the passionate opposition of the Colonists by the passage of the Boston Port Bill, and the act for raising a revenue in America without granting the colonies representation. A flame of wrathful indignation swept over the land like fire driven by the wind across the prairie. Its scorching breath aroused the people of New Jersey. Meetings were held in every part of the Province. A call signed jointly by John DeHart and Isaac Ogden, was issued June 7th, 1774, to all the inhabitants of Essex County, notifying them to meet in Newark on the 11th inst., to "consult and deliberate and firmly resolve upon the most prudent and salutary measures to secure and maintain the constitutional right of his Majesty's Subjects in America."

The meeting designated in the call was duly held, and the feelings of the assemblage found expression in a series of emphatic resolutions, recommending among other important things, "the freeholders and inhabitants of other counties in the Province to convene themselves together, * * * particularly * * * in order to nominate and appoint deputies to represent this Province in general Congress."

John DeHart was a conspicuous member of the Committee of nine, unanimously chosen to carry these resolutions into effect.

On the 21st of July, 1774, the general convention of the Province

¹ Field's Provincial Courts of N. J.

met in New Brunswick, and continued in session three days. "Its assembling was *the first organized act of Revolution* by the patriots of New Jersey."¹ The resolutions adopted without dissent, indeed with a surprising unanimity of sentiment, are models of clearness and patriotic determination, and redound to the credit of the representative body of men who framed and endorsed them. Among the five delegates selected by this convention to represent New Jersey in the first Continental Congress, we find the name of John DeHart.

The people of the Province kept strict watch over the deliberations of this Congress; frequently holding meetings and publicly debating upon the conduct of her representatives, in connection with the general state of the country. That the course of John DeHart, in the Congress of 1774, was satisfactory to his constituents and the people of the Province at large, is shown by the fact that the General Assembly, held at Perth Amboy, January 24th, 1775, unanimously re-elected him to that body.

Prior to this time DeHart had acted as a member of the important "Committee of Correspondence" in Essex County, to which honorable position he was again unanimously chosen at a meeting of the Freeholders of Elizabeth-town, held December 6th, 1774.

The Congress of 1775 will ever be memorable. In all its early important deliberations John DeHart took part. He signed with forty-eight other members the petition to the King, dated September 1st, praying his majesty to adopt measures of conciliation toward the Provinces; but on the 13th of November following, he addressed a letter to the General Assembly of the Colony of New Jersey, in which he requested that another might be appointed to attend the Continental Congress in his stead, urging as a reason "the peculiar circumstances of his family." On November 22d, the Assembly resolved, that the reasons assigned by Mr. DeHart were "satisfactory," and accepted his resignation.

By his earnest and exemplary life, and patriotic course, he retained his hold upon the confidence of the people, and on February 14th, 1776, was again unanimously elected to the Continental Congress by

¹ Sketch of the Provincial Congress of N. J. 1775 (C. D. Deshler).

the Assembly of the Province. He resigned from that body June 13th.

It has been supposed by some that DeHart, with the rest of the New Jersey delegation in Congress at this time, was willing to avoid the responsibility of a direct decision upon the momentous question of the independence of the Colonies.¹ But whatever his motives for resigning, there is no doubt that they were not only reasonable, but high-minded ; and that he lost nothing of the lofty esteem in which he had been held in his native Province, his unanimous election, at a joint meeting of the Legislature, September 5th, 1776, to be Chief Justice of New Jersey, bears ample testimony. It also evinces the estimation in which his learning and abilities as a lawyer were regarded.

For some reasons, which have never been ascertained, although DeHart accepted the appointment in a letter in which he gratefully acknowledged the high honor conferred upon him, he subsequently refused to qualify for the office, and Robert Morris was appointed in his stead.

From this time onward, he doubtless devoted himself mainly to his profession, and won thereby additional distinction and wealth : Still throughout his remaining years, in all matters affecting the public interests, he was an active participant. He was especially energetic in promoting the causes of education and religion.

The Borough of Elizabeth, by act of Legislature, received November 28th, 1789, a new charter. DeHart was elected the first Mayor, and continued to hold that office until his death, June 1st, 1795, in the sixty-seventh year of his age.

Thus ended the career of a man whose life, as recorded, contains no line of reproach. Of vigorous intellect, of powerful will, and fervent, patriotic impulses, he subjected all to a remarkable conservation that yielded to nothing save a paramount sense of duty. Distinguished for his learning and culture both in and out of his profession ; his whole life devoted to the service of his country, his state, his church, the cause of education, and his fellow-men ; the recipient of high honors ; acquitting himself with sternest integrity in every

¹ Mulford's Hist. of N. J., p. 325 : Gordon's N. J., p. 201.

position of important public trust to which he was called : and dying while Mayor of the town in which he was born and had lived for sixty-seven years ; his death is chronicled in "The New Jersey Journal," published at Elizabeth-town, June 3d, 1795, in these words, without another line to call attention to the fact, "Died on Monday, John DeHart, Esq., Mayor of the Borough of Elizabeth."

His remains lies buried in the shadow of the venerable St. John's Church. at Elizabeth, of which he was a member and officer from the time it received its charter, July 20th, 1762, until his decease, beneath an unpretending granite slab, on which is engraven :

In memory of
John DeHart, Esquire,
Counsellor at Law and Mayor
of this Borough,
Who departed this life, June 1st, 1795,
Aged LXVI years.
His worth in private life was
truly great ;
Nor will his public virtues
be forgotten ;
His name being recorded on the list of
Chosen Patriots,
Who composed the memorable Congress
of 1775.

SKETCH OF THE LIFE OF RICHARD STOCKTON,

ONE OF THE SIGNERS OF THE DECLARATION OF
INDEPENDENCE FROM NEW JERSEY,

BY W. A. WHITEHEAD,

READ BEFORE THE NEW JERSEY SOCIETY, JANUARY 18TH, 1877.

. On the presentation of this paper Mr. Whitehead submitted for the inspection of the members, the Original Minutes of the Provincial Congress of New Jersey containing the following entry under date of Saturday, June 22d, 1776, 3 P. M.:

"The Congress proceeded to the Election of Delegates, to represent this Colony in Continental Congress, when Richard Stockton, Abraham Clarke, John Hart, Francis Hopkinson, Esq^{rs} & Doct^r John Witherspoon were elected by Ballot to serve for one Year unless a new Appointment be made before that Time.

"Resolved,¹ That the Following Instructions be given to the Delegates elected as aforesaid, viz.^t:

"To Richard Stockton, Abraham Clarke, John Hart & Francis Hopkinson, Esq^{rs} & the Reverend Doct^r John Witherspoon Delegates appointed to represent the Colony of New Jersey in Continental Congress.—

The Congress empower & direct you in Name of this² Colony to Join with the Delegates of the Other Colonies in Continental Congress in the Most Vigorous Measures for Supporting the Just rights and Liberties of America, and if you shall Judge it necessary or Expedient for this purpose We Impower you to Join with them In declaring the United Colonies independent of Great Britain

¹ Here the hand writing is changed from that of William Paterson the Secretary.

² Here it changes again to, probably, that of the mover of the resolution. whose name does not appear.

entring into a Confederacy for Union and Common Defence making Treaties with foreign Nations for Commerce and Assistance and to Take such Other Measures as may Appear to them and you ¹Necessary for the great ends promising to support them with the whole force Of this Province. Always Observing that whatever plan of Confederacy you enter into the regulating the internal police of this Province is to be reserved to the Colony Legislature."

RICHARD STOCKTON was born at Princeton, New Jersey, October 1st, 1730, his ancestors having been identified with that locality for half a century. After acquiring the rudiments of his education in the place of his birth, he was placed at an academy in Maryland, then under the charge of the Rev. Samuel Finley, D.D., subsequently President of the College of New Jersey, and finished his collegiate course at that college, then located in Newark, under President Burr; taking the first honors at the first Annual Commencement of that institution, in 1748; thus manifesting his eminent mental abilities at the early age of eighteen.

Having decided to adopt the legal profession, he entered upon his studies under the supervision of David Ogden of Newark, at that time one of the most prominent lawyers in the Province. He was admitted to the Bar in 1754, and attained to the grade of Counsellor in 1758. He commenced the practice of Law at Princeton, and soon attained such celebrity as to be frequently selected to conduct important cases in Pennsylvania. In 1763 he received the degree of Sergeant-at-Law. Three years thereafter he sailed for England, where his intellectual acquirements, his professional and personal character, and the possession of a competent fortune, gave him admission to the most eminent and refined circles. This visit occurring just after the repeal of the Stamp Act, he was made the bearer of an address to the King from the Trustees of the College of New Jersey, acknowledging the favor the colonies had thus received, which he delivered in person to George III; and frequent occasions were afforded and improved by him to express to the distinguished men with whom he was brought in contact, his opinions of the policy most likely to succeed in keeping the colonists united to the Crown; declaring his belief that they would never submit to taxation by a British parlia-

¹ Here is erased in the original, the words " upon the Best Information."

ment. Thus anticipating the brilliant part he subsequently took in declaring the United Colonies free and independent States.

Mr. Stockton also visited Ireland and Scotland, performing in the latter country an acceptable service to the College of New Jersey and to the country at large, by overcoming the objections of Dr. Witherspoon to accepting the Presidency of the college, to which he had been elected, and for a time declined; little anticipating that by so doing, he was securing a most worthy associate and influential colleague in the momentous services he was to render his country.

His return to America in 1767 was the prelude to further elevation in his political and professional career. In August, 1768, he was recommended by Gov. Franklin to the Crown, for a position in the Provincial Council, and was appointed thereto on the 2d of November following. During the existence of that body his legal attainments rendered him a very influential member. In 1774 he was appointed one of the Judges of the Supreme Court of the Province, and for sometime had for an associate his old legal preceptor David Ogden.

There were only two members of the Council besides himself—Lord Stirling and John Stevens—who, by their acts and influence, openly evinced their allegiance to the Colonial cause. Lord Stirling, in September, 1775, accepted a commission in the Continental Army and was suspended, but Mr. Stockton and Mr. Stevens continued members as long as the Council existed, the arrest of Gov. Franklin on the 17th of June, 1776, putting an end to all pretences of government under British authority.

On the 22d of June, 1776, he was elected by the Provincial Congress a Representative of New Jersey in the Continental Congress, and soon after took his seat therein. The precise day is unknown, but it was some time prior to the adoption of the resolution of Independence, and towards the close of the debate thereon he made a brief speech in its favor, in full accord with the instructions he and his colleagues had received, to concur with the other representatives in declaring the United Colonies independent of Great Britain. On the 30th of November, the Convention of the State of New Jersey—the title assumed by the Provincial Congress on the 18th of July—

confirmed his appointment and reëlected him as a Representative for one year.

During Mr. Stockton's service in Congress his abilities were so manifested as to secure the utmost confidence of his associates and the country at large, and among many special duties assigned to him in consequence was the inspection of the Northern Army in the Autumn of 1776, in conjunction with George Clymer, of Pennsylvania. He had just returned from this expedition when the retreat of Washington through New Jersey, followed by the enemy, rendered it necessary that his family should be removed to a more retired and safer place than Princeton, and while providing for their accommodation in Monmouth County, he was captured on the 30th of November by a party of royalists, dragged from his bed at midnight and carried to New York by the way of Perth Amboy. At the latter place he was confined in the common jail and subjected to such ignominious treatment that, in conjunction with extreme cold weather and subsequent sufferings in New York, his health was permanently impaired. Congress on the 3d of January, 1777, directed Gen. Washington to send a flag to Lord Howe, to expostulate against the treatment Mr. Stockton was receiving, and he was soon thereafter released ; but the state of his health, the loss of his property and other afflicting dispensations, rendered the remainder of his life a period of trial, closed only by his death, which occurred at Princeton, February 28th, 1781.

Mr. Stockton's forensic and literary attainments, and his personal character, as well as the manner in which he performed his official duties, ever commanded the highest respect of all with whom he came in contact. Previous to the revolution, his ample pecuniary resources enabled him to gratify his fondness for society in the most satisfactory manner, and his house was always renowned for a generous hospitality. The lines of Shakspeare, descriptive of Cardinal Wolsey, have been very rightly used by one of his biographers as aptly delineating his salient characteristics :

“ He was a scholar, and a ripe and good one,
Exceeding wise, fair-spoken and persuading,
Lofty and stern to them that loved him not,
But to those who sought him, sweet as Summer.”

His manners, dignified yet simple, were in keeping with his stalwart form, which was nearly six feet high. As a speaker he was at all times remarkable for his solidity and perspicuity, and as a Lawyer and Judge secured by his opinions and decisions a conspicuous eminence among the most distinguished legal minds of his day. It is said of him that he would never engage in any cause that he knew to be unjust, and was always ready to defend the helpless and oppressed; in these respects exhibiting the characteristics of that Christianity, in which, in his last Will, he announced himself to be a firm believer; in beautiful language recommending it to his children, concluding with a fervent injunction, prompted by the fulness of a father's affection, "to remember that the fear of God is the beginning of Wisdom."

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